

HARNESS DEFINITIONS – CHAPTER 19

PMRMR-019-005 Purpose:

To provide definition for commonly used terms in the rules. These definitions are used throughout the harness racing rules adopted by the Commission.

PMRMR-019-010 Terms

- (1) **Added Money Event** includes stakes, futurities, early closing races, and late closing races as further defined in these rules.
- (2) **Advertised Purse** is that amount offered for an event by the track member, sponsor, or presenter and does not include nomination, sustaining, or starting fees.
- (3) **Age** of a horse shall be reckoned from the first day of January of the year of foaling.
- (4) **Also Eligible** pertains to a horse, properly declared, which was not drawn for inclusion in a race, but which became eligible according to preference or lot if an entry is scratched prior to the release time.
- (5) **Appeal** is a request for the Commission or its designee to review a decision or ruling of the judges.
- (6) **Association Grounds** is all real property utilized by the association in the conduct of its race meeting, including the racetrack, grandstand, concession stands, offices, barns, stable area, employee housing facilities and parking lots and any other areas under the jurisdiction of the Commission.
- (7) **Authorized Agent** is a person licensed by the Commission and appointed by a written instrument, signed and acknowledged before a notary public or commissioner for oath by the owner on whose behalf the agent will act.
- (8) **Betting Interest** is one or more horses in a pari-mutuel contest which are identified by a separate program number for wagering purposes.
- (9) **Break** is the racing of a horse at other than the gait designated by the conditions of and the declaration to a race.
- (10) **Bleeder** is a horse which has demonstrated external evidence of exercise induced pulmonary hemorrhage.
- (11) **Bleeder List** is a tabulation of all bleeders to be maintained by the Commission.
- (12) **Breeder** is the owner or lessee of the horse's dam at the time of breeding.
- (13) **Claiming Race** is a race in which a horse may be claimed in conformance with the rules.
- (14) **Classified Race** is a race in which entries are selected by the racing secretary on the basis of ability and/or past performance.
- (15) **Conditioned Race** is an overnight race to which eligibility is determined according to specified conditions which include age, sex, earnings, number of starts, and position of finishes.
- (16) **Conditions** are qualifications which determine a horse's eligibility to be declared in a race.

- (17) **Coupled Entry** is two or more contestants in a contest that are treated as a single betting interest for pari-mutuel wagering purposes (also see "Entry").
- (18) **Dead Heat** is the finish of a race in which the noses of two or more horses reach the finish line at the same time.
- (19) **Declaration** is the naming of a particular horse as a starter in a particular race.
- (20) **Distanced** means that a horse finishes more than 25 lengths behind the winning horse.
- (21) **Draw** is the process of assigning post positions and the process of selecting contestants in a manner to ensure compliance with the conditions of the rules of racing.
- (22) **Driver** is a person who is licensed by the Commission to drive in a race.
- (23) **Early Closing Event** is a race to which nominations close at least six weeks preceding the date of the race. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining, and starting payments to determine the purse. All payments are forfeits.
- (24) **Elimination Heats** are the individual heats of a race in which the contestants must qualify for a final heat.
- (25) **Entry** includes:
 - (a) a horse eligible for and declared in a race; or
 - (b) two or more horses, declared in the same, race, which have common ties of ownership, lease, training, or driving (see **Coupled Entry**).
- (26) **Exhibition Race** is a race on which no wagering is permitted.
- (27) **Exercise Driver** is a person who is licensed by the Commission to exercise horses.
- (28) **Foreign Substance** is any substance, except those which exist naturally in the untreated horse at normal physiological concentration, and shall include all narcotics, stimulants, depressants or other drugs or medications of any type.
- (29) **Forfeit** is:
 - (a) money paid into a race which is non-refundable; or,
 - (b) due from a licensee because of error, fault, neglect of duty, breach of contract or a penalty imposed by the judges or Commission.
- (30) **Furosemide List** means a tabulation of all horses eligible to participate in a race with furosemide in its system.
- (31) **Handicap** is a race in which performance, claiming price, sex or distance allowance is made. Post positions for a handicap may be assigned by the racing secretary. Post positions in handicap claiming races shall be determined by claiming price prior to application of allowances.
- (32) **Horse** is any equine (including and designated as a mare, filly, stallion, colt, spayed mare, ridgling or gelding) registered for racing; specifically, an entire male 5 years of age and older.
- (33) **In Harness** when a race is made to go "in harness" it shall be construed to mean that the performance while hooked to a sulky as described in these definitions.

- (34) **Inquiry** is an investigation by the judges in a contest prior to declaring the result of the contest official.
- (35) **Judge** is a duly appointed racing official with powers and duties specified by the Act and the rules.
- (36) **Late Closing Event** means a race to which nominations close less than six weeks and not less than 3 days or more than five days before the date on which the race is to be contested. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining, and starting payments to determine the purse. All payments are forfeits. Time bars or track qualifying standards shall not be used as conditions for late closing races.
- (37) **Length** is equal to one-fifth second as determined by the photo-finish.
- (38) **Maiden** is a horse which at the time of starting has never won a heat or a race at the gate at which it is declared to start for which a purse is offered excluding schooling races.
- (39) **Maiden Race** is a contest restricted to non-winners at the time of declaration.
- (40) **Matinee Race** is a race in which an entrance fee may be charged and where the premiums, if any, are other than money.
- (41) **Nerving** means to use drugs, surgery, alcohol, cryogenic techniques, laser therapy, or any other means to affect a temporary or permanent blocking of the nerve(s).
- (42) **No Contest** is a race voided for any reason by the judges.
- (43) **Nomination** is the naming of a horse to a certain race or series of races generally accompanied by payment of a prescribed fee.
- (44) **Nominator** is the person or entity in whose name a horse is nominated for a race or series of races.
- (45) **Objection** is a verbal claim of foul in a race lodged by the horse's driver, trainer, owner, or the owner's authorized agent before the race is declared official.
- (46) **Off Time** is the moment at which, on the signal of the official starter, the horses are officially dispatched in each contest.
- (47) **Official Starter** is the official responsible for dispatching the horses for a race.
- (48) **Official Time** is the elapsed time from the moment the first horse crosses the starting point until the first horse crosses the finish line.
- (49) **Optional Claiming Race** is a contest restricted to horses entered to be claimed for a stated claiming price and to which have started previously for that price or less. In the case of horses entered to be claimed in such a race, the race shall be considered, for the purpose of these rules, a claiming race. In the case of horses not entered to be claimed in such a race, the race shall be considered a conditioned race.
- (50) **Overnight Race** is a contest for which declarations close not more than five days before the date on which it will be contested.
- (51) **Owner** is a person who holds any title, right or interest, whole or partial in a horse, including the lessee and lessor of a horse.

- (52) **Paddock** is an enclosure in which horses scheduled to compete in a contest are confined prior to racing.
- (53) **Pari-Mutuel Wagering** is a form of wagering on the outcome of an event in which all wagers are pooled and held by an association for distribution of the total amount, less the deductions authorized by law, to holders of tickets on the winning horses.
- (54) **Post Position** is the pre-assigned position from which a horse starts a race.
- (55) **Post Time** is the scheduled starting time for a contest.
- (56) **Protest** is a written complaint filed with the judges prior to the running of a race alleging a breach of the rules or conditions that a horse is ineligible to race.
- (57) **Purse** is the total dollar amount for which a race is contested.
- (58) **Race** is a contest between horses at a licensed race meeting.
- (59) **Race meeting** is the specified period and dates each year during which an association is authorized to conduct racing and/or pari-mutuel wagering by approval of the Commission.
- (60) **Record** is the fastest time at a mile by a horse in a heat or dash which it won
- (61) **Standardbred Canada (SC)** is Canada's national racing body incorporated under the Animal Pedigree Act of Canada responsible to the Federal Ministry of Agriculture Canada. It is the official breed registry for standardbreds which governs registration and identification. As well, Standardbred Canada is the official Canadian central regulatory body for maintaining racing, driver, and training statistics. Licensing of owners, trainers, drivers, grooms, and officials is part of its standard setting mandate.
- (62) **Sample** is any body substance including but not limited to blood or urine taken from a horse under the supervision of the regulatory body(ies) for the purpose of analysis.
- (63) **Satisfactory Charted Line** is one that meets the qualifying standards at the track at which a horse participates.
- (64) **Scoring** is the preliminary practice given to horses after the post parade and prior to being called to line up for the start of a race by the official starter.
- (65) **Scratch** is the act of withdrawing a declared horse from a contest after the closing of declarations.
- (66) **Stable Name** is a name used other than the actual legal name of an owner or lessee and registered with the United States Trotting Association (USTA), or Standardbred Canada (SC), and the Commission.
- (67) **Stake or Stakes Race** is a race which will be contested in a year subsequent to its closing in which all monies given by the sponsor and/or track member conducting same is added to all nomination, sustaining, and starting payments to determine the purse.
- (68) **Starter** is a horse which becomes an actual contestant in a race when the horse has passed the fair start pole and the official starter has started the race, unless otherwise determined by the judges.

- (69) **Sulky** is a dual wheel racing vehicle with dual shafts not exceeding the height of the horse's withers. Shafts must be hooked separately on each side.
- (70) **Sweepstakes** means a stakes race.
- (71) **Two in Three Race** is a race in which a horse must win two heats to be entitled to first place money.
- (72) **United States Trotting Association (USTA)** is the recognized breed registry in the United States of Standardbred Horses.
- (73) **Walkover** is a race in which only one horse starts or in which all the starters are owned by the same interest. To claim the purse the horse(s) must start and go the distance of the race.
- (74) **Winner** is the horse whose nose reaches the finish line first or is placed first through disqualification by the judges.

Harness Racing Officials - Chapter 20

PMRMR-020-005 Purpose;

To define the duties and responsibilities of harness racing officials

PMRMR-020-010 GENERAL PROVISIONS:

A. Racing Officials

Officials at a race meeting include the following:

- (1) board of judges;
- (2) racing secretary;
- (3) paddock judge;
- (4) horse identifier;
- (5) clerk of the course;
- (6) starter;
- (7) charter;
- (8) timer;
- (9) patrol judge;
- (10) official veterinarian;
- (11) racing veterinarian; and
- (12) any other person designated by the Commission.

B. Eligibility

To qualify as a racing official the appointee must be licensed by the Commission after a determination that the person:

- (1) is of good moral character and reputation;
- (2) is experienced in and/or knowledgeable of harness racing;
- (3) is familiar with the duties to which the person is appointed and with the Commission's rules of harness racing;
- (4) possesses the mental and physical capacity to perform that person's duties; and is not under suspension or ejection by the USTA, the SC, or any racing jurisdiction.

C. Approval and Licensing

The Commission, in its sole discretion, may determine the eligibility of a racing official and, in its sole discretion, may approve or disapprove any such official for licensing.

D. Prohibited Practices

Racing officials and their assistants shall not engage in any of the following activities while serving in an official capacity at a race meeting:

- (1) participate in the sale or purchase, or own any horse at the race meeting;
- (2) sell or solicit horse insurance on any horse racing at the race meeting;
- (3) be licensed in any other capacity without permission of the Commission;
- (4) wager on the outcome of any live or simulcast race; or

- (5) refuse to take a breath analyzer test or submit to a blood or urine sample when directed by the Commission or its designee.

E. Report of Violations

Racing official and their assistants shall report immediately to the judges every observed perceived violation of these rules and of the laws of this jurisdiction governing racing.

F. Complaints Against Officials

Any complaint against a racing official other than a judge shall be made to the judges in writing and signed by the complainant. All such complaints shall be reported to the Commission by the judges, together with a report of the action taken or the recommendation of the judges. Complaints against any judge shall be made in writing to the Commission and signed by the complainant.

G. Appointment

- (1) A person shall not be appointed to more than one racing official position at a race meeting unless specifically approved by the Commission.
- (2) The Commission shall appoint or approve the judges at each harness race meeting.

H. Appointment of Substitute Officials

Where a vacancy exists among racing officials, the judges shall appoint a person to fill the vacancy immediately. Such appointment shall be effective until the vacancy is filled in accordance with these rules. In addition, the judges have the authority to approve temporary, emergency appointments.

I. Appointment of Substitute Judge

Should any judge be absent at race time, the remaining judge(s) shall appoint a deputy for the absent judge(s). If a deputy judge is appointed, the Commission shall be notified immediately by the judges.

PMRMR-020-015 JUDGES

A. General Authority

- (1) The judges for each race meeting shall be responsible to the Commission for the conduct of the race meeting in accordance with the laws of this jurisdiction and these rules.
- (2) The judges shall enforce these rules and the racing laws of this jurisdiction.
- (3) The judges' authority includes supervision of all racing officials, track management, licensed personnel, other persons responsible for the conduct of racing and patrons, as necessary to ensure compliance with these rules.
- (4) The judges shall have authority to resolve conflicts or disputes related to racing and to discipline violators in accordance with the provisions of these rules.

- (5) The judges have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules.
- (6) The judges may postpone or cancel races in the event of unfavorable weather or other unavoidable cause.

B. Period of Authority

The judges' period of authority shall commence ____ days prior to the beginning of each race meeting and shall terminate with completion of their official business.

C. Disciplinary Action

- (1) The judges shall take notice of alleged misconduct or rule violations and initiate investigations into the matters.
- (2) The judges shall have authority to charge any licensee for a violation of these rules, to conduct hearings and to impose disciplinary action in accordance with these rules.
- (3) The judges may compel the attendance of witnesses and the submission of documents or potential evidence related to any investigation or hearing.
- (4) The judges may at any time inspect license documents, registration papers and other documents related to racing.
- (5) The judges have the power to administer oaths and examine witnesses.
- (6) The judges shall consult with the official veterinarian to determine the nature and seriousness of a laboratory finding or an alleged medication violation.
- (7) The judges may impose, but are not limited to, any of the following penalties on a licensee for an attempt to violate or a violation of these rules:
 - (a) issue a reprimand;
 - (b) assess a fine;
 - (c) require forfeiture or redistribution of purse or award, when specified by applicable rules;
 - (d) place a licensee on probation;
 - (e) suspend a license or racing privileges;
 - (f) revoke or cancel a license;
 - (g) exclude from grounds under the jurisdiction of the Commission; or any relief deemed appropriate.
- (8) The judges may suspend a horse from participation in racing.
- (9) The judges may suspend a license for not more than (____) per violation; or they may impose a fine in accordance with the applicable statute for each violation; or they may suspend and fine; or they may order that a person be ineligible for licensing.
- (10) The judges shall submit a written report to the Commission of every inquiry and hearing.
- (11) A judges' ruling shall not prevent the Commission from imposing a lesser or more severe penalty.

- (12) The judges may refer any matter to the Commission and may include recommendations for disposition. The absence of a judges' referral shall not preclude Commission action in any matter.
- (13) Purses, prizes, awards, and trophies shall be redistributed if the judges or Commission order a change in the official order of finish.
- (14) All fines imposed by the judges shall be paid to the Commission within ____ after the ruling is issued, unless otherwise ordered.

D. Protests, Objections and Complaints

The judges shall investigate promptly and render a decision in every protest, objection and complaint made to them. They shall maintain a record of all protests, objections and complaints. The judges shall file daily with the Commission a copy of each protest, objection or complaint and any related ruling.

E. Judges' Presence

A board of judges shall be present in the judges' stand during the contesting of each race.

F. Order of Finish for Pari-Mutuel Wagering

- (1) The judges shall determine the official order of finish for each race in accordance with the rules of the race (Chapter 24).
- (2) The decision of the judges as to the official order of finish, including the disqualification of a horse or horses as a result of any event occurring during the contesting of the race, shall be final for purposes of distribution of the pari-mutuel wagering pool.

G. Records and Reports

- (1) The judges shall prepare a daily report, on a form approved by the Commission, detailing their actions and observations made during each day's race program. The report shall contain the name of the racetrack, the date, the weather and track conditions, claims, inquiries, and objections and any unusual circumstances or conditions. The report shall be signed by each judge and be filed with the Commission not later than ____ hours after the end of each race day.
- (2) The presiding judge shall maintain a detailed log of the judges' official activities. The log shall describe all questions, disputes, protests, complaints or objections brought to the attention of the judges and all interviews, investigations and rulings made by the judges. The log shall be available at all times for inspection by the Commission or its designee.
- (3) Not later than seven days after the last day of a race meeting, the presiding judge shall submit to the Commission a written report regarding the race meeting. The report shall contain:
 - (a) the judges' observations and comments regarding the conduct of the race meeting and the overall conditions of the association grounds during the race meeting; and

- (b) any recommendations for improvement by the association or action by the Commission.

H. Judges' List

- (1) The judges shall maintain a Judges' List of the horses which are ineligible to be declared in a race.
- (2) A horse that is unfit to race because it is dangerous, unmanageable or unable to show a performance to qualify for races at the race meeting, or otherwise unfit to race at the race meeting may be placed on the Judges' List by the presiding judge and declarations and/or entries on the horse shall be refused. The owner or trainer shall be notified of such action and the reason shall be clearly stated. The judges shall post and maintain a current Judges' List in the racing office. When any horse is placed on the Judges' List, the clerk of the course/field representative shall make an entry on the eligibility certificate of such horse, showing the date the horse was put on the Judges' List, the reason, and the date of removal, if the horse has been removed.
- (3) No presiding judge or other official at a fair race meeting shall have the power to remove from the Judges' List and accept as an entry any horse which has been placed on a Judges' List and not subsequently removed therefrom for the reason that the horse is dangerous or an unmanageable horse. Such race meetings may refuse declarations and/or entries on any horse that has been placed on the Judges' List and has not been removed therefrom.
- (4) Any horse put on the Judges' List as unmanageable or dangerous must qualify in a satisfactory manner for the judges at least two times.
- (5) The judges may put any horse on the Judges' List for performance when such horse shows a reversal of form or does not race near its own capabilities. Such horse shall qualify in a time comparable to its known capabilities from one to three times, at the discretion of the judges, before being declared.
- (6) The judges may put any horse on the Judges' List for being noncompetitive or unfit to race at the race meeting.
- (7) The judges may place a horse on the Judges' List when there exists a question as to the exact identification, ownership or management of said horse.
- (8) A horse which has been placed on the Judges' List because of questions as to the exact identification or ownership of said horse, may be removed from the Judges' List when, in the opinion of the judges, proof of exact identification and/or ownership has been established.
- (9) A horse placed on the Judges' List can only be removed from the Judges' List by the judges.

PMRMR-020-020 RACING SECRETARY

A. General Authority

The racing secretary is responsible for setting the conditions for each race of the race meeting, supervise the nomination of entries and determining the amounts of purses, and to whom they are due. The racing secretary shall check and verify the eligibility of all horses entered.

B. Eligibility

The racing secretary is responsible for verifying the eligibility of all horses competing at the track or stabled on association grounds.

C. Claiming Authorizations

The racing secretary is responsible for maintaining the claiming authorizations of all declared horses.

D. List of Nerved Horses

The racing secretary shall maintain a list of nerved horses that are on association grounds and shall post the list for inspection in the racing office by other licensees participating in the race meeting.

E. Race Information

The racing secretary shall be familiar with the age, class and competitive ability of all horses racing at the race meeting.

F. Classifications

The racing secretary shall classify horses in accordance with these rules and list horses in the categories in which they qualify.

G. Listing of Horses

The racing secretary shall:

- (1) examine all entry forms and declarations to verify information as set forth therein; and
- (2) select the horses to start and the also eligible horses from the declarations in accordance with these rules.
- (3) provide the listing of horses in the daily program.

H. Nominations and Declarations

The racing secretary shall examine nominations and declarations and early closing events, late closing events and stakes events to verify the eligibility of all declarations and nominations and compile lists thereof for publication.

I. Conditions

The racing secretary shall establish the conditions and eligibility for entering races and cause them to be published to owners, trainers and the Commission and be posted in the racing secretary's office.

J. Posting of Entries

Upon completion of the draw each day, the racing secretary shall post a list of entries in a conspicuous location in racing office and make the list available to the media.

K. Stakes and Added Money Records

The racing secretary shall be caretaker of the permanent records of all stakes and shall verify that all added monies due are paid prior to declaration for races conducted at the race meeting.

L. Winnings

- (1) For the purpose of establishing conditions, winnings shall be considered to include all monies and prizes won up to the time of the start of a race.
- (2) Winnings during the year shall be calculated by the racing secretary from the preceding January 1.

PMRMR-020-025 PADDOCK JUDGE

A. General Authority

The paddock judge shall be responsible for and not limited to:

- (1) ensuring that the horses are on the racetrack for post parades in accordance with the schedule issued by the judges;
- (2) inspection of horses for changes of equipment, broken or faulty equipment, proper saddle pads, and head numbers;
- (3) supervision of paddock gate operators;
- (4) proper check-in and check-out of horses and drivers; direction of the activities of the paddock horseshoer; and
- (5) ensuring that only properly authorized persons are permitted in the paddock.

B. Report to the Judges

The paddock judge shall:

- (1) notify the judges of anything that could in any way change, delay or otherwise
- (2) affect the racing program; and report to the judges any observed cruelty to a horse; and
- (3) any other perceived violations of these rules.

PMRMR-020-025 HORSE IDENTIFIER

A. General Authority

The horse identifier shall be present for each race. The horse identifier shall inspect each horse prior to its departure from the paddock to the post to confirm the horse's proper identity by checking the horse's tattoo number, color and markings, and freeze brand if applicable.

B. Report Violations

The horse identifier shall report to the judges any horse not properly identified in conformity with these rules.

PMRMR-020-030 CLERK OF THE COURSE/FIELD REPRESENTATIVE

General Authority

The clerk of the course/field representative shall be responsible for verifying the eligibility records provided by the USTA/SC and recording therein all required information and:

- (1) names and addresses of owners, trainers, and drivers;
- (2) the standard symbols for medications, where applicable;
- (3) notations of placings, disqualifications and claimed horses;
- (4) notations of scratched or barred horses;
- (5) provide an eligibility record to the horse's owner or the owner's representative when requested.

PMRMR-020-035 OFFICIAL STARTER

A. General Authority

- (1) No person shall be licensed as a Starter until he/she has successfully completed a written examination and satisfied the Commission that he/she has the necessary qualifications to perform the required duties.
- (2) Notwithstanding the provisions of paragraph 1. Of this rule, the Commission may grant Starter licenses restricted to starting horses in matinee races, time performances or meetings not exceeding ten days in duration within a calendar year.
- (3) The Starter shall:
 - (a) Be subject to the supervision of the judges;
 - (b) Be present in the starting gate at least fifteen minutes before the first race;
 - (c) Have control over the horses from the formation of the post parade until the field is released at the starting point;
 - (d) Notify the judges of all violations of the rules, giving detailed information thereof;

- (e) Notify drivers charged with violations of starting rules and grant a hearing before any penalties are assessed;
- (f) Act as a patrol judge when requested by the judges; and
- (g) Submit to a physical and/or eye examination when requested by the Commission.

B. Starter's List

The official starter shall school horses as may be necessary and shall prepare a list of horses not qualified to start, which shall be delivered to the judges and the racing secretary and entered on the Starter's List. The Starter's List shall be posted in the racing secretary's office. No horse on the Starter's List shall be eligible to declare until removed from the List.

PMRMR-020-040 OFFICIAL CHARTER

General Authority

The official charter is responsible for providing a complete and accurate chart of each race. An accurate chart shall include the following:

- (1) horse's name;
- (2) driver's name;
- (3) date and place of the race;
- (4) track size, if other than a half-mile track;
- (5) track condition and temperature;
- (6) type of race (trot or pace);
- (7) classification of race;
- (8) distance;
- (9) fractional times of the leading horse, including the race time;
- (10) post position, position at the 1/4-mile, the 1/2-mile and the 3/4-mile poles and at the head of the stretch with lengths behind the leader and finish position with lengths behind the winner;
- (11) official order of finish;
- (12) individual time of each horse;
- (13) closing dollar odds (with favorite designated by an asterisk);
- (14) the standard symbols for breaks, interference breaks, interference, broken equipment, park outs, and free legged pacers, where applicable;
- (15) the standard symbols for medications, where applicable; in claiming races, the price for which the horse is entered to be claimed less allowances for age and sex;
- (16) names of the horses placed first, second and third by the judges; and notations of placings, disqualifications and claimed horses.

PMRMR-020-045 OFFICIAL TIMER

A. General Authority

The official timer shall accurately record the time elapsed between the start and finish of each race.

B. Timing Procedure

The time shall be recorded from the instant that the first horse crosses the starting point until the first horse reaches the finish line and each quarter mile shall also be recorded on the leading horse.

C. Timing Races

- (1) In every race, the time of each heat shall be accurately recorded by two timers or an approved electrical timing device, in which case, there shall be one timer.
- (2) Times of heats shall be recorded in minutes, seconds and fifths of a second.
- (3) Immediately following each heat, the elapsed time of the heat shall be publicly announced and/or posted on the totalisator board.
- (4) No unofficial time shall be announced, posted or entered into the official record.

D. Error in Reported Time

- (1) In circumstances involving an error in timing, no time shall be announced, posted or recorded for that heat.
- (2) In any case of alleged error regarding a horse's official time, the time in question shall not be changed to favor the horse or its owner, except upon the sworn statement of the judges and official timers who officiated in the race.

PMRMR-020-050 PATROL JUDGE

General Authority

The patrol judge, when utilized, is responsible for observing the race and reporting information concerning the race to the judges. If the track's video replay system is deemed adequate by the Commission, use of patrol judges is optional.

PMRMR-020-055 PROGRAM DIRECTOR

General Authority

The program director is responsible for furnishing the public complete and accurate past performance information.

PMRMR-020-060 OFFICIAL VETERINARIAN

A. General Authority

The official veterinarian shall:

- (1) be employed by the Commission;
- (2) be a graduate veterinarian and be licensed to practice in this jurisdiction;
- (3) recommend to the judges any horse deemed unsafe to be raced, or a horse that it would be inhumane to allow to race;
- (4) place horses on the Veterinarian's List, when necessary, and remove horses from the Veterinarian's List;
- (5) place horses on the Bleeder List and remove horses from the Bleeder List;
- (6) maintain a continuing health and racing soundness record of each horse given a racing soundness inspection;
- (7) have the authority to supervise and control the Test Barn;
- (8) supervise the taking of all specimens for testing according to procedures approved by the Commission;
- (9) provide proper safeguards in the handling of all laboratory specimens to prevent tampering, confusion or contamination;
- (10) have authority and jurisdiction over the racing veterinarian and the practicing licensed veterinarians on the association grounds for the purpose of these rules;
- (11) report to the Commission the names of all horses humanely destroyed or which otherwise expire at the race meeting and the reasons therefore;
- (12) maintain all required records of postmortem necropsy examinations performed on horses which have died on association grounds;
- (13) refrain from directly treating or prescribing for any horse scheduled to participate during the official veterinarian's term of appointment at any recognized race meeting except in cases of emergency, accident or injury;
- (14) refuse employment or payment, directly or indirectly, from any owner or trainer of a horse racing or intending to race in this jurisdiction while employed as the official veterinarian for the Commission;
- (15) review and make recommendations regarding Commission license applications of practicing veterinarians;
- (16) cooperate with practicing veterinarians and other regulatory agencies regarding medication issues and to take measures to control communicable and/or reportable equine diseases;
- (17) periodically review all horse papers under the jurisdiction of the Commission to ensure that all required test and health certificates are current and properly filed in accordance with these rules;
- (18) be authorized to humanely destroy any horse deemed to be so seriously injured that it is in the best interests of the horse to so act; and
- (19) provide the judges with a written statement regarding the nature and seriousness of all laboratory reports of prohibited substances in equine samples.

B. Veterinarian's List

A horse scratched by a recommendation of a veterinarian for either lameness or sickness will be put on the Veterinarian's List and shall not be removed for _____ days. No entries will be accepted on these horses until the _____-day period has expired.

C. Starting and Finishing Inspection

The official veterinarian shall inspect all of the horses in a race prior to their starting and after the finish of a race shall observe the horses upon their leaving the track.

D. Equine Infectious Anemia

No horse shall be admitted to any racetrack facilities in this jurisdiction without having had a negative official test for equine infectious anemia within 12 months.

PMRMR-020-065 RACING VETERINARIAN

General Authority

The racing veterinarian shall:

- (1) be directly responsible to the official veterinarian;
- (2) be a graduate veterinarian and be licensed to practice in this jurisdiction;
- (3) be available to the racing secretary and/or judges each racing day at a time designated by the judges, to inspect any horses and report on their condition as may be requested by the judges;
- (4) inspect any horse when there is a question as to the physical condition of such horse;
- (5) recommend scratching a horse to the judges if, in the opinion of the racing veterinarian, the horse is physically incapable of exerting its best effort to win;
- (6) inspect any horse which appears in physical distress during the race or at the finish of the race; and shall report such horse together with the racing veterinarian's opinion as to the cause of the distress to the judges and to the official veterinarian;
- (7) refrain from directly treating or prescribing for any horse scheduled to participate during racing veterinarian's term of appointment at any recognized race meeting except in cases of emergency, accident or injury;
- (8) refuse employment or payment, directly or indirectly, from any owner or trainer of a horse racing or intending to race in this jurisdiction while employed as the racing veterinarian;
- (9) be authorized to humanely destroy any horse deemed to be so seriously injured that it is in the best interests of the horse to so act;
- (10) conduct soundness inspections on horses participating in races at the race meeting;
- (11) with approval of the official veterinarian, place horses on the Bleeder List;

- (12) with approval of the official veterinarian, place horses on or remove them from the Veterinarian's List.

PMRMR-020-070 ANY OTHER PERSON DESIGNATED BY THE COMMISSION

The Commission may create additional racing official positions, as needed. Persons selected for these positions shall be considered racing officials and shall be subject to the general eligibility requirements outlined in Section 020-010 B of this chapter.

Duties and Requirements of Associations (Race Meet Licensees)

- Chapter 21

PMRMR-021-005 PURPOSE:

To describe the duties, facilities, equipment and operations of associations.

PMRMR-021-010 GENERAL DUTY

- (1) An association, its officers, directors, officials and employees shall abide by the Act and enforce the rules and orders of the Commission and judges.
- (2) An association may request an exemption from a requirement in this chapter to utilize new technology or innovative construction or design of the racetrack facilities. The Commission may grant an exemption if the Commission determines that:
 - (a) the association's proposal substantially satisfies the purpose of the requirement; and
 - (b) the exemption is in the best interests of the racehorses, the racing industry and the citizens of this jurisdiction.

PMRMR-021-015 FINANCIAL REQUIREMENTS

A. Insurer of the Race meeting

- (1) Approval of a race meeting by the Commission does not establish the Commission as the insurer or guarantor of the safety or physical condition of the association's facilities or purse of any race.
- (2) An association shall agree to indemnify, save and hold harmless the Commission from any liability, if any, arising from unsafe conditions of association grounds and default in payment of purses.
- (3) An association shall provide the Commission with a certificate of liability insurance as required by the Commission.
- (4) An association shall maintain in an approved depository, those amounts deducted from the pari-mutuel handle for distribution for the purposes specified in the Act and Commission rules.
- (5) An association and its managing officers are jointly and severally responsible to ensure that the amounts retained from the pari-mutuel handle are distributed according to the Act and Commission rules and not otherwise.
- (6) An association and its managing officers shall ensure that all purse monies, disbursements and appropriate nomination race monies are available to make timely distribution in accordance with the Act, Commission rules, association rules and race conditions.

B. Bond Requirements

- (1) An association shall file with the Commission a bond payable to (jurisdiction) in an amount determined by the Commission for pari-mutuel racing and in either case not more than the financial liability of the association permit throughout the race meeting for which the association permit is requested.
- (2) The bond shall be executed by the applicant and a surety company or companies authorized to do business in this jurisdiction, and conditioned upon the payment by the association licensee of all
- (3) taxes and other monies due and payable pursuant to statutory provisions and all monies due from horsemen's accounts and payable, presentation of winning tickets, the licensee will distribute all sums due to the patrons of pari-mutuel pools.
- (4) The financial liabilities incurred by the association licensee in the form of real estate mortgages shall not be included in the determination of the bond amount.

C. Financial Reports

- (1) The Commission may require periodic audits to determine that the association has funds available to meet those distributions for the purposes required by the Act, Commission rules, the conditions and nomination race program of the race meeting and the obligations incurred in the daily operation of the race meeting. An association shall file a copy of all tax returns, a balance sheet and a profit and loss statement.
- (2) An association shall file with the Commission an unaudited balance sheet and profit and loss statement as required by the Commission. Those submissions must be in a format which conforms with the requirements set out in the association license application.
- (3) An association shall file an annual audit with the Commission within ____ days after the association's fiscal year-end. The Commission, upon good cause shown, may extend the time for filing.

PMRMR-021-020 FACILITIES AND EQUIPMENT

A. Facilities for Patrons and Licensees

- (1) An association shall ensure that the public areas of the association grounds are designed and maintained for the comfort and safety of the patrons and licensees and are accessible to all persons with disabilities as required by law.
- (2) An association shall provide and maintain adequate restroom facilities for the patrons and licensees.
- (3) An association shall provide an adequate supply of free drinking water.
- (4) An association shall maintain all facilities on association grounds to ensure the safety and cleanliness of the facilities at all times.
- (5) During a race performance, the association shall provide:

- (a) a first aid room equipped with at least two beds and other appropriate equipment; and
- (b) the services of at least one physician or certified emergency medical technician (EMT).
- (6) An association shall provide a properly equipped ambulance, staffed with certified paramedics or EMTs, at any time the racetrack is open for racing or training.
- (7) If the ambulance is being used to transport an individual, the association may not conduct a race until the ambulance is replaced.
- (8) Unless otherwise approved by the Commission or the judges, an ambulance shall follow the field at a safe distance during the running of races.
- (9) The ambulance must be parked at an entrance to the racing strip except when the ambulance is being used to transport an individual or when it is following the field during the running of a race.
- (10) An association shall provide adequate office space for the use of the judges and other Commission personnel as required by the Commission.
- (11) The location and size of the office space, furnishings and equipment required under this section must be approved by the Commission.
- (12) An association shall promptly post Commission notices in places that can be easily viewed by patrons and licensees.

B. Officials' Stands

An association shall provide adequate stands for officials to have a clear view of the racetrack. The location and design of the stands must be approved by the Commission.

C. Audio and Visual Equipment

- (1) An association shall provide and maintain in good working order a communication system between the:
 - (a) judges' stand;
 - (b) racing office;
 - (c) tote room;
 - (d) paddock;
 - (e) test barn;
 - (f) starting gate;
 - (g) video camera locations;
 - (h) veterinarian;
 - (i) track announcer;
 - (j) location of the ambulances (equine and human); and
 - (k) Commission track office.
- (l) other locations and persons designated by the Commission.
- (2) An association shall provide and maintain a public address system capable of clearly transmitting announcements to the patrons and to the stable area.

- (3) An association shall provide an electronic photo finish device with mirror image to photograph the finish of each race and record the time of each horse in at least fifths of a second. The location and operation of the photo finish devices must be approved by the Commission before its first use in a race. The association shall promptly post a photograph of each photo finish for win, place or show in an area accessible to the public. The association shall ensure that the photo finish devices are calibrated before the first day of each race meeting and at other times as required by the Commission. On request by the Commission, the association shall provide, without cost, a print from a negative of a photo finish to the Commission. Photo finish negatives of each race shall be maintained by the association for not less than six months after the end of the race meeting, or such other period as may be requested by the judges or the Commission.
- (4) An association shall provide a videotaping system approved by the Commission.
- (5) Cameras must be located to provide clear panoramic and head-on views of each race. Separate monitors, which simultaneously display the images received from each camera and are capable of simultaneously displaying a synchronized view of the recordings of each race for review shall be provided in the judges' stand. The location and construction of video towers must be approved by the Commission.
- (6) The judges may, at their discretion, direct the video camera operators to videotape the activities of any horse or person handling horses prior to, during, or following a race.
- (7) Races must be recorded by at least three video cameras.
- (8) An association shall, upon request, provide to the Commission, without cost, a copy of a videotape of a race.
- (9) Videotapes recorded prior to, during and following each race shall be maintained by the association for not less than six months after the end of the race meeting, or such other period as may be requested by the judges or the Commission.
- (10) An association shall provide a viewing area in which, on approval by the judges, an owner, trainer, driver or other interested individual may view a videotape recording of a race.
- (11) Following any race in which there is an inquiry or objection, the association shall display to the public on designated monitors the videotaped replays of the incident in question which were utilized by the judges in making their decision.

D. Racetrack

- (1) The surface of a racetrack must be designed, constructed and maintained to provide for the safety of the drivers and horses.
- (2) Prior to the first race meeting at an association racetrack, a licensed surveyor shall provide to the Commission a certified report of the grade and measurement of the distances to be run.
- (3) Distances to be run shall be measured from the starting line at a distance three feet out from the inside rail or other fixed marker.

- (4) The surveyor's report must be approved by the Commission prior to the first race day of the race meeting.
- (5) An association shall provide an adequate drainage system for the racetrack.
- (6) An association shall provide adequate equipment and personnel to maintain the track surface and appurtenances in a safe training and racing condition. The association shall provide back-up equipment for maintaining the track surface.

E. Rails

The design and construction of rails, where used, must be approved by the Commission prior to the first race meeting at the track.

F. Starting Gates

During racing hours, an association shall provide at least two operable starting gates, which have been approved by the Commission.

G. Distance Markers

- (1) An association shall provide starting point markers and distance poles in a size and position that is clearly seen from the judges' stand.
- (2) All poles and markers shall be positioned at least ten feet off the inside rail.
- (3) The starting point markers and distance poles must be marked as follows:
 - (a) 3/4 pole - Red and white horizontal stripes
 - (b) 1/2 pole - Red and white horizontal stripes
 - (c) 1/4 pole - Red and white horizontal stripes
 - (d) 1/8 poles - Green and white horizontal stripes
 - (e) 1/16 poles - Black and white horizontal stripes
 - (f) Fair Start Pole - Yellow
- (4) The fair start pole shall be located 320 feet before the starting point.

H. Saddle Pad Colors

- (1) All pari-mutuel racetracks shall adopt the following color format for saddle pad colors for post positions in each race:
 - (a) Post Position One - Red
 - (b) Post Position Two - Blue
 - (c) Post Position Three - White
 - (d) Post Position Four - Green
 - (e) Post Position Five - Black
 - (f) Post Position Six - Yellow
 - (g) Post Position Seven - Pink
 - (h) Post Position Eight - Gray
 - (i) Post Position Nine - Purple
 - (j) Post Position Ten - Blue/Red
 - (k) Post Position Eleven - Light Blue

- (1) Post Position Twelve - Red/White
 - (2) All saddle pad numbers, with the exception of post positions three and five, shall be white with a black border. The saddle pad numbers for post positions three and five shall be solid black and solid white, respectively.
- I. Lighting
- (1) An association shall provide lighting for the racetrack and the patron facilities that is adequate to ensure the safety and security of the patrons, licensees and horses.
 - (2) Lighting to ensure the proper operation of the videotape and photo finish equipment must be approved by the Commission.
 - (3) An association shall provide adequate additional lighting in the stable area as required by the Commission.
 - (4) If an association conducts racing at night, the association shall maintain a back-up lighting system that is sufficient to ensure the safety of race participants and patrons.
- J. Equine Ambulance
- (1) An association shall provide an equine ambulance staffed by trained personnel on association grounds on each day that the racetrack is open for pari-mutuel and qualifying racing or training.
 - (2) The ambulance must be properly ventilated and kept at an entrance to the racing strip when not in use.
 - (3) The ambulance must be a covered vehicle that is low to the ground and large enough to accommodate a horse in distress. The ambulance must be able to:
 - (a) navigate on the racetrack during all weather conditions; and
 - (b) transport a horse off the association grounds.
 - (4) The ambulance must be equipped with:
 - (a) large, portable screens to shield a horse from public view;
 - (b) ramps to facilitate loading a horse;
 - (c) adequate means of loading a horse that is down;
 - (d) a rear door and a door on each side;
 - (e) a padded interior;
 - (f) a movable partition to initially provide more room to load a horse and to later restrict a horse's movement;
 - (g) a shielded area for the person who is attending to the horse; and
 - (h) an adequate area for the storage of water and veterinary drugs and equipment.
 - (5) An association may not conduct a race unless an equine ambulance or an official veterinarian-approved substitute is readily available.
 - (6) The equine ambulance, its supplies and attendants and the operating procedures for the equine ambulance must be approved by the official veterinarian.

K. Barns

- (1) An association shall provide barns containing a sufficient number of stalls to accommodate all horses approved to race and all other horses approved to be on the grounds. The association's stable area configuration and facilities must be approved by the Commission.
- (2) An association shall ensure that the barns are kept clean and in good repair. Each barn, including the receiving barn, must have a hot and cold water supply available, be well-ventilated, have proper drainage, and be constructed to be comfortable in all seasons.
- (3) An association shall ensure that each horse is stabled in an individual box stall with minimum dimensions of 10 by 10 feet.
- (4) An association shall provide an adequate area for the placement of manure removed from the stalls. All manure must be removed from the stable area daily.
- (5) The association shall ensure that refuse from the stalls and other refuse are kept separate.

L. Test Barn

- (1) An association shall provide a test barn for taking specimens of urine, blood or other bodily substances or tissues for testing.
- (2) The test barn must be equipped with:
 - (a) a walk area that is large enough to accommodate ____ horses;
 - (b) at least ____ enclosed stalls that permit observation of the collection process and provide for the protection of collection personnel;
 - (c) facilities and equipment for the collection, identification and storage of samples;
 - (d) a washrack that is large enough to accommodate ____ horses at the same time;
 - (e) hot and cold running water and clean water buckets for each horse.
- (3) An association shall limit access to the test barn to persons authorized by the official veterinarian. All entrances shall be locked or guarded at all times.

M. Isolation Area

- (1) An association shall provide an isolation area for the care and treatment of a horse that is ordered isolated by the racing veterinarian or the official veterinarian.
- (2) The isolation area must be approved by the official veterinarian.

PMRMR-021-025 OPERATIONS

A. Security

- (1) An association conducting a race meeting shall maintain security controls over its premises. Security controls are subject to the approval of the Commission.
- (2) An association may establish a system or method of issuing credentials or passes to restrict access to its restricted areas or to ensure that all participants at its race meeting are licensed as required by these rules.

- (3) An association shall prevent access to and shall remove or cause to be removed from its restricted areas any person who is unlicensed, or who has not been issued a visitor's pass or other identifying credential, or whose presence in such restricted area is unauthorized.
- (4) Unless otherwise authorized by the Commission, an association shall provide continuous security in the stable area during all times that horses are stabled on the grounds. An association shall require any person entering the stable area to display valid credentials issued by the Commission or a visitor's pass issued by the association. An association shall provide security fencing around the stable area in a manner that is approved by the Commission.
- (5) On request by the Commission, an association shall provide a list of the security personnel, including the name, qualifications, training, duties, duty station, and area supervised by each employee.
- (6) Each day, the chief of security for an association shall deliver a written report to the judges regarding occurrences on association grounds on the previous day.
- (7) Not later than 24 hours after an incident occurs requiring the attention of security personnel, the chief of security shall deliver to the judges a written report describing the incident. The report must include the name of each individual involved in the incident, the circumstances of the incident and any recommended charges against each individual involved.

B. Fire Prevention

- (1) An association shall develop and implement a program for fire prevention on association grounds. An association shall instruct employees working on association grounds of the procedures for fire prevention.
- (2) Not later than ____ days before the first day of a race meeting, an association shall deliver to the Commission a copy of the fire marshal's certification regarding the association's compliance with fire safety regulations or the fire marshal's plan of correction. The certification or plan must be based on an inspection of the association grounds conducted by the fire marshal not more than 30 days before the first day of a race meeting.
- (3) No person shall:
 - (a) smoke in stalls, feed rooms, or under shed rows;
 - (b) burn open fires, or oil, or gas lamps in the stable area;
 - (c) leave unattended any electrical appliance that is plugged-in to an electrical outlet;
 - (d) permit horses to come within reach of electrical outlets or cords;
 - (e) store flammable materials such as cleaning fluids or solvents in the stable area; or
 - (f) lock a stall which is occupied by a horse.
- (4) An association shall post a notice in the stable area which lists the prohibitions outlined in 3a)-f) above.

C. Insect and Rodent Control

An association and the licensees occupying the association's barn area shall cooperate in procedures to control insects, rodents or other hazards to horses or licensees.

D. Race Card

The hours of racing, the number of races per race day, and the post time for the first race of each race day are subject to the approval of the Commission.

E. Complaints

- (1) An association shall designate a location and provide personnel who shall be readily available to the public to provide or receive information.
- (2) An association shall promptly notify the Commission of a complaint regarding:
 - (a) an alleged violation of the Act or a rule of the Commission;
 - (b) an alleged violation of ordinances or statutes;
 - (c) accidents or injuries; or
 - (d) unsafe or unsanitary conditions for patrons, licensees or horses.

F. Ejection and Exclusion

- (1) An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the Commission or judges and notify the Commission of the ejection.
- (2) An association may eject or exclude a person for any lawful reason. An association shall immediately notify the judges and the Commission in writing of any person ejected or excluded by the association.

HARNESS RACING LICENSING AND DUTIES OF LICENSEES – CHAPTER 22

PMRMR-022-005 PURPOSE:

To provide requirements and procedures for granting, refusing, suspending and revoking of licenses, as well as general duties and requirements for individuals holding specific occupational licenses.

PMRMR-022-010 GENERAL PROVISIONS:

A. Licenses Required

- (1) A person shall not participate in pari-mutuel racing under the jurisdiction of the Commission without a valid license issued by the Commission. License categories shall include the following and others as may be established by the Commission:
 - (a) racing participants and personnel (including owner, authorized agent, trainer, assistant trainer, driver, veterinarian, veterinary assistant, horseshoer, and stable employees);
 - (b) racing officials (including a board of judges, racing secretary, paddock judge, horse identifier, clerk of the course/field representative, official starter, charter, timer, photo finish technician, patrol judge, official veterinarian, and racing veterinarian);
 - (c) persons employed by the association, or employed by a person or concern contracting with or approved by the association or Commission to provide a service or commodity, which requires their presence in a restricted area, or which requires their presence anywhere on association grounds while pari-mutuel wagering is being conducted; and
 - (d) all Commission employees where applicable.
- (2) Persons required to be licensed shall submit a completed application on forms furnished by the Commission and accompanied by the required fee.
- (3) License applicants may be required to furnish to the Commission a set(s) of fingerprints and a recent photograph and may be required to be re-fingerprinted or rephotographed periodically as determined by the Commission.

B. Fingerprinting and Licensing Reciprocity

The Commission may license persons holding a valid permanent (not temporary) licenses issued by racing jurisdictions in North America. A fingerprint check within the previous 36 months, or such other period as is required by this jurisdiction.

- (1) The Commission may recognize the issuance of racing licenses from jurisdictions in North America for the purpose of issuance of licenses in this jurisdiction.
- (2) Only permanent licenses in good standing shall be considered. Temporary or probationary licenses shall not be considered.

- (3) An applicant must be in good standing in each jurisdiction where they hold or have held a racing license.
- (4) The applicant must have submitted fingerprints within the past 36 months, or such other period as is required by this jurisdiction, for the purpose of a criminal records check by the Federal Bureau of Investigation (FBI) or Royal Canadian Mounted Police (RCMP). The applicant shall provide this jurisdiction with proof of licensure from another jurisdiction to which fingerprints were submitted.
- (5) The applicant shall submit the license application form and license fee required by this jurisdiction.
- (6) Provided the above requirements have been met, this jurisdiction may issue either a license and/or a validation sticker. The validation sticker shall be affixed to either a license issued by this jurisdiction or a valid license issued by another jurisdiction. The validation sticker shall be constructed of an approved tamper-resistant material. The affixing of the validation sticker shall constitute licensing. This Commission shall determine the period of time that such license shall be valid in this jurisdiction.
- (7) In the event the licensee is absent from this jurisdiction, and upon payment of the applicable fees, a receipt shall be mailed to the licensee's permanent address. The receipt may then be presented at the Commission office by the licensee so that a Commission representative may affix the proper validation sticker to the racing license badge.

C. Multi-State Licensing Information

In lieu of a license application from this jurisdiction, the Commission may accept a North American Pari-Mutuel Regulators Association (NAPRA) or an Association of Racing Commissioners International (RCI) Multi-State License Application.

D. Age Requirement

Applicants for licensing shall be a minimum of 16 years of age unless otherwise specified in these rules. An applicant may be required to submit a certified copy of the applicant's birth certificate. Persons under the age of 18 may be required to show evidence of active participation in a certified educational program or have a high school diploma or equivalent.

E. Consent to Investigation and Distribution of Information

The filing of an application for license shall authorize the Commission to investigate criminal, financial and employment records, to engage in interviews to determine applicant's character and qualifications and to verify information provided by the applicant and to distribute information to other racing jurisdictions and government entities.

F. Consent to Search and Seizure

By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents and to the seizure of any prohibited medication, drugs, paraphernalia or devices in accordance with state/provincial and federal law. Any drugs, medication or other materials seized may be forwarded by the Commission to the official chemist for analysis. Any seized material may be forfeited.

G. Protection of Horses

Each person licensed by the Commission shall do all that is reasonable and within the licensee's power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse declared or to be declared in a qualifying race or race, as prohibited by these rules.

H. Substance Abuse/Addiction

- (1) All licensees shall be deemed to be exercising the privileges of their license, and to be subject to the requirements of these rules, when engaged in activities that could affect the outcome of a race or diminish the conditions of safety or decorum required in restricted areas.
- (2) It shall be a violation to exercise the privileges granted by a license from this Commission if the licensee:
 - (a) Is engaged in the illegal sale or distribution of alcohol or a controlled substance;
 - (b) Possesses, without a valid prescription, a controlled substance;
 - (c) Is intoxicated or under the influence of alcohol or a controlled substance;
 - (d) Is addicted, having been determined to be so by a professional evaluation, to alcohol or other drugs and not engaged in an abstinence-based program of recovery acceptable to the Commission;
 - (e) Has in his/her possession within the enclosure any equipment, products or materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled dangerous substance;
 - (f) Refuses to submit to urine or drug testing, when notified that such testing is based on a random drug testing procedure, is based on reasonable suspicion that the person is using drugs or alcohol or is based on the licensee's acting as if in an impaired condition; or
 - (g) Presently has drugs (controlled substances) or alcohol in his or her body. With regard to alcohol, the results of a breathalyzer test showing a reading of more than .05 percent of alcohol in the blood shall be the criterion for a finding of alcohol present in the body. With regard to other controlled substances, presence of the drug in any quantity measured by the testing instrument establishes the presence of the drug for purposes of this paragraph.

- (3) At its discretion, the Commission may conduct random or episodic random drug testing, as well as testing based on reasonable suspicion, in order to ensure safety on the racetrack.
- (4) When conducted, random drug testing shall apply, equally, to all licensees who are, at the time of the random testing, exercising the privileges of their license in such ways as may affect the outcome of a race or diminish the conditions of safety or decorum required in restricted areas.
- (5) No notice need be given as to onset or cessation of random testing.
- (6) For licensees who are tested under the provisions in this chapter, and whose testing shows the presence of drugs (controlled substances) or alcohol, any field screening test results shall be confirmed by a laboratory acceptable to the Commission which shall include Gas Chromatography/ Mass Spectrometry (GC/MS) procedures.
- (7) When the sample quantity permits, each test sample shall be divided into portions so that one portion may be used for the confirmation procedure and another portion may be utilized by the licensee to obtain an independent analysis of the urine sample.
- (8) The Commission shall provide for a secure chain of custody for the sample to be made available to the licensee.
- (9) All costs for the transportation and testing for the sample portion made available for the licensee shall be the financial responsibility of the requesting person.
- (10) Payment shall be due from the requesting person within 30 days of receipt of notice of the costs.
- (11) A licensee penalized or restricted pursuant to this chapter shall retain rights of due process with respect to any determination of alleged violations which may adversely affect the right to hold a license.
- (12) If there has been a violation, under number 2 above, the following procedures will be followed:
- (13) The Commission may, at its discretion, order the licensee to obtain a professional assessment to determine whether there is a substantial probability that the licensee is dependent on, or abuses, alcohol or other drugs or the Commission may act on the information at hand.
- (14) Actions in the case of first violators may include revocation of the license, suspension of the license for up to six months, placing the violator on probation for up to 90 days or ordering formal assessment and treatment.
- (15) Treatment or assessment, if ordered, must meet the conditions given in numbers 16-18 below.
- (16) The license of the person may be revoked or suspended for a period of up to one year or a professional assessment of the person may be ordered by the Commission.
- (17) If a professional assessment indicates presence of a problem of alcohol or other drug abuse that is not treatable within the reasonably foreseeable future (360 days) the license may be suspended for a period of up to one year.

- (18) If a professional assessment indicates presence of a treatable problem of alcohol or other drug abuse or dependence, the Commission may order the licensee to undergo treatment as a condition of continuing licensure. Such treatment will be through a program or by a practitioner, acceptable to the licensee and the Commission. Required features of any program or practitioner acceptable to the Commission will be:
 - (a) Accreditation or licensure by an appropriate government agency, if required by state statute;
 - (b) A minimum of one year follow-up of formal treatment; and
 - (c) A formal contract indicating the elements of the treatment and follow up program that will be completed by the licensee and, upon completion, certified to the Commission as completed. To effect the contract, the licensee will authorize release of information by the treating agency, hospital or individual.
- (19) For third-time violators, the violator's license may be revoked and the violator may be deemed ineligible for licensure for up to five years.
- (20) Although relapse (failure to maintain abstinence) is not inevitable, it is common for relapse to occur in recovery from alcoholism or other substance dependence. Therefore, a licensee who is engaged in a formal program of recovery, and is compliant with all provisions other than abstinence, will not be regarded automatically as having committed a new violation.
- (21) When a licensee is determined to have failed in maintaining abstinence, the licensee shall furnish to the Commission an assessment by the treating agency, hospital or individual practitioner indicating whether the licensee was compliant with the agreed upon program of recovery, and an opinion as to whether a "new violation" occurred.
- (22) The Commission will determine whether a new violation has occurred in each instance. If a new violation has occurred, the Commission will proceed under numbers 13-15 above or numbers 16-18 above. Otherwise, the licensee shall continue in the agreed upon program of recovery.

I. Approval or Recommendations by Judges

The Commission may designate categories of licenses which shall require judges' prior approval or recommendation.

J. Employer Responsibility

- (1) The employment or harboring of any unlicensed person at facilities under the jurisdiction of the Commission is prohibited.
- (2) Every employer shall report the discharge of any licensed employee in writing to the Commission or its designee, including the person's name, occupation and reason for the discharge.

K. Employer Endorsement of License Applications

The license application of an employee shall be signed by the employer.

L. Workers' Compensation

Licensed employers shall carry workers' compensation insurance covering their employees as required by statute.

M. Financial Responsibility

Applicants for a license may be required to submit evidence of financial responsibility and shall maintain financial responsibility during the period for which the license is issued.

N. License Refusal

The Commission or its designee may refuse to issue a license. If an applicant is refused, the applicant may reapply for a license and as may be provided by the Commission.

O. License Denial

The Commission may formally deny an application in accordance with these rules. An application denied shall be reported in writing to the applicant stating the reasons for denial, the date when a reapplication may be submitted.

P. Grounds for Refusal, Denial, Suspension or Revocation of License

- (1) The Commission or its designee may refuse to issue or may deny a license to an applicant, or may suspend or revoke a license issued, or may order disciplinary measures, if the applicant:
 - (a) has been convicted of a felony or indictable offense;
 - (b) has been convicted of violating any law regarding gambling, a controlled dangerous substance, moral turpitude, or cruelty to animals;
 - (c) has pending criminal charges; or
 - (d) is unqualified to perform the duties required of the applicant;
 - (e) has failed to disclose or states falsely any information required in the application;
 - (f) has been found in violation of statutes or rules governing racing in this jurisdiction or other jurisdictions;
 - (g) has racing disciplinary charges pending in this jurisdiction or other jurisdictions;
 - (h) has been or is currently excluded from association grounds by a recognized racing jurisdiction;
 - (i) has had a license denied, suspended or revoked by any racing jurisdiction;
 - (j) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting;
 - (k) demonstrates financial irresponsibility by accumulating unpaid obligations, defaulting in obligations or issuing drafts or checks that are dishonored or payment refused;
 - (l) is ineligible for employment pursuant to law because of age or citizenship;
 - (m) has violated any of the alcohol or substance abuse provisions outlined in these rules; or

- (n) has been associated or consorted with an individual who has been convicted of a crime in any jurisdiction.
- (2) A license suspension or revocation shall be reported in writing to the applicant, the USTA/SC, NAPRA, and the RCI, whereby other racing jurisdictions shall be advised.

Q. License Restrictions, Limitations and Conditions

The Commission or its designee, for cause, may restrict, limit or place conditions on any license.

R. Duration of License

- (1) Licenses expire December 31 or are valid for such other period as permitted by the Commission.
- (2) A license is valid only under the condition that the licensee remains eligible to hold such license.

S. Changes in Application Information

During the period for which a license has been issued, the licensee shall report to the Commission changes in information provided on the license applications as to current legal name, marital status, permanent address, pending criminal charges, criminal convictions, license suspensions of ____ days or more or license revocations or fines of \$_____ or more in other jurisdictions.

T. Temporary Licenses

The Commission may establish provisions for temporary licenses or may permit applicants to participate in racing pending action on an application.

U. More Than One License

More than one license to participate in harness racing may be granted to a person except when prohibited by these rules due to a potential conflict of interest.

V. Conflict of Interest

- (1) The Commission or its designee may refuse, deny, suspend or revoke the license of a person whose spouse holds a license and which the Commission or judges find to be a conflict of interest.
- (2) A commissioner or Commission employee or racing official shall not be an owner of a horse at a race meeting and shall not accept breeder awards at a race meeting where they have jurisdiction.
- (3) A racing official who is an owner of either the sire or dam of a horse declared to race shall not act as an official with respect to that race.
- (4) A person who is licensed as an owner or trainer, or has any financial interest in a horse registered for racing at a race meeting in this jurisdiction shall not be employed or licensed at that race meeting as a racing official; racetrack director,

officer or managing employee; track maintenance supervisor or employee; racetrack security employee; horseshoer; veterinarian; photo finish operator; horsemen's bookkeeper; racing chemist, or testing laboratory employee.

W. License Presentation

- (1) A person shall present an appropriate license to enter a restricted area.
- (2) The judges may require visible display of a license in a restricted area.
- (3) A license may only be used by the person to whom it is issued.

X. Visitor's Pass

- (1) Licensed owners and trainers participating at that track may sign in guests, unless such are unacceptable to the Commission or association.
- (2) Track security may allow authorized unlicensed persons temporary access to restricted areas provided such persons shall be identified and their purpose and credentials verified and approved in writing by track security. A copy of the written approval shall be filed with the Commission or its designee within 48 hours. Such authorization or credential may only be used by the person to whom it is issued.

Y. Safety Helmets

A protective helmet, race meeting the 1984 Standard for Protective Headgear (Snell Memorial Foundation), Laboratory Procedure for Motorcycle Helmet Testing (Federal Motor Vehicle Safety Standard No. 218, U.S. Department of Transportation) or Specification for Headgear Used in Horse Sports and Horse Back Riding (ASTM Standard F085.53, Draft #4, 1986) standards for protective harness racing headwear, securely fastened under the chin, must be worn at all times on association grounds when:

- (1) racing, parading, or warming up a horse prior to racing; or
- (2) jogging, training, or exercising a horse at any time.

Z. Safety Vests

- (1) A safety vest shall be worn when:
 - (a) racing, parading or warming up a horse prior to racing; or
 - (b) jogging, training or exercising a horse at any time.
- (2) A safety vest shall:
 - (a) Cover the torso, front and back, from the collar bone to the hip bone;
 - (b) Be of uniform material and thickness over the whole of the vest except for localized:
 - A. Variation due to pattern, for example, quilting.
 - B. Thinner areas to aid fit, for example, under the arms, at fastenings and at edges, and
 - C. Thicker areas in regard to particularly sensitive areas of the body, for example, the spine; and

- (c) Equal or exceed a minimum shock absorbance rating of 5 according to the specifications established by the British Equestrian Trade Association (BETA) which are as follows:
 - A. Use a critical height apparatus to measure the maximum deceleration on impact of a striker consisting of a spherical indentor weighing 5.9 (+/- 0.05) Kilograms with a diameter of 215 (+/- 2) millimeters,
 - B. Condition the vest and the striker for a minimum of 3 hours at 23° (+/- 2°) Centigrade.
 - C. With the vest lying on a smooth, flat massive concrete base with the inside of the vest facing the striker and positioned so that the striker will impact on an area of typical thickness, not reinforced by additional material, raise and release the striker starting at a height of 0.2 meter and increasing the height by increments of 0.2 meter to a height which will result in a deceleration of over 300 gravity units ($1G=9.81 \text{ ms}^{-1}$) as measured by recording the signal from an accelerometer through the impact from the time before the striker impacts the vest until the accelerometer returns to the same level as before the impact.
 - D. Record the gravity units measured at each height increment on a line graph which has the gravity units in ascending order as the vertical axis and the release height in meters in ascending order as the horizontal axis.
 - E. Plot the height in meters at which the deceleration reached 300 gravity units, and
 - F. Multiply the height obtained in Section 3 Subsection (e) by 10 to calculate the shock absorbance rating.

AA. Knowledge of Rules

- (1) A licensee shall be knowledgeable of the rules of the Commission; and by acceptance of the license, agrees to abide by the rules.
- (2) A licensee shall report to track security or the judges any knowledge the licensee has that a perceived violation of these rules has occurred, is occurring, or may occur.

BB. Distribution of Rulings and Orders

All judges' rulings and orders of the Commission shall be distributed to NAPRA or RCI and made available to SC/USTA, and other regulatory bodies.

PMRMR-022-015 - OWNERS

A. Licensing Requirements for Owners

- (1) Each person who has a five percent or more ownership or beneficial interest in a horse is required to be licensed.
- (2) An applicant for an owner's license shall own or lease a horse which is eligible to race, registered with the racing secretary and under the care of a trainer licensed by the Commission. An owner shall notify the judges of a change in trainer. A horse shall not be transferred to a new trainer after entry.
- (3) The provisions of Rule 022-010, Sub-Title D notwithstanding, a horse owner of any age may apply for an owner's license. If younger than age of majority, an applicant for an owner's license shall submit a notarized affidavit from his/her parent or legal guardian stating that the parent or legal guardian assumes responsibility for the applicant's financial, contractual and other obligations relating to the applicant's participation in racing.
- (4) If the Commission or its designee has reason to doubt the financial responsibility of an applicant for an owner's license, the applicant may be required to complete a verified financial statement.
- (5) Horses not under lease must race in the name of the bona fide owner. Each owner shall comply with all licensing requirements.
- (6) The Commission or its designee may refuse, deny, suspend or revoke an owner's license for the spouse or member of the immediate family or household of a person ineligible to be licensed as an owner, unless there is a showing on the part of the applicant or licensed owner, and the Commission determines that participation in racing will not permit a person to serve as a substitute for an ineligible person. The transfer of a horse to circumvent the intent of a Commission rule or ruling is prohibited.

B. Licensing Requirements for Multiple Owners

- (1) If the legal owner of any horse is a partnership, corporation, limited liability company, syndicate or other association or entity, each shareholder, member or partner shall be licensed as required in Sub-Title A, Section 1 of this Rule.
- (2) Each partnership, corporation, limited liability company, syndicate or other association or entity shall disclose to the Commission all owners holding a five percent or greater beneficial interest, unless otherwise required by the Commission.
- (3) Each partnership, corporation, limited liability company, syndicate or other association or entity which includes an owner with less than a five percent ownership or beneficial interest shall file with the Commission an affidavit which attests that, to the best of their knowledge, every owner, regardless of their ownership or beneficial interest, is not presently ineligible for licensing or suspended in any racing jurisdiction.

- (4) To obtain an owner's license, an owner with less than a five percent ownership or beneficial interest in a horse shall establish a bona fide need for the license and the issuance of such license shall be approved by the Commission.
- (5) Application for joint ownership shall include a designation of a managing owner and a business address. Receipt of any correspondence, notice or order at such address shall constitute official notice to all persons involved in the ownership of such horse.
- (6) The written appointment of a managing owner or authorized agent shall be filed with the USTA/SC and the Commission.

C. Lease Agreements

A horse may be raced under lease provided the lease is in a form acceptable to the Commission and the lease is filed with the Commission and the USTA or SC. The lessor and lessee shall be licensed as horse owners.

D. Stable Name Registration

Licensed owners and lessees may adopt a stable name subject to approval of the Commission.

- (1) The applicant shall identify all persons using the stable name. Changes shall be reported immediately to the Commission and a copy sent to the USTA/SC.
- (2) A person who has registered a stable name may cancel it upon written notice to the Commission.
- (3) The stable name shall be published in the program.
- (4) If there are more than four owners of a horse, the licensed owners must register as a stable name.

E. Racing Colors

Drivers must wear distinguishing colors, and shall not be permitted to drive in a race or other public performance unless, in the opinion of the judges/judges, they are properly dressed, their driving outfits are clean and they are well groomed. During inclement weather conditions, drivers must wear rain suits in either of their colors or made of a transparent material through which their colors can be distinguished.

PMRMR-022-020 TRAINERS

A. Eligibility

A person shall not train horses, or be programmed as trainer of record at race meetings, without being licensed by the Commission.

B. Trainer Responsibility

- (1) The trainer is responsible for the condition of horses declared in an official race and is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable

- level, in such horses. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by a Commission-approved laboratory, is prima facie evidence of a violation of this rule. In the absence of substantial evidence to the contrary, the trainer shall be responsible.
- (2) A trainer shall prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.
 - (3) A trainer whose horse has been claimed remains responsible for any violation of rules regarding that horse's participation in the race in which the horse is claimed.

C. Other Trainer Responsibilities

A trainer is responsible for:

- (1) the condition and contents of stalls, tack rooms, feed rooms, sleeping rooms and other areas which have been assigned by the association;
- (2) maintaining the assigned stable area in a clean, neat and sanitary condition at all times;
- (3) ensuring that fire prevention rules are strictly observed in the assigned stable area;
- (4) providing a list to the Commission of the trainer's employees on association grounds and any other area under the jurisdiction of the Commission. The list shall include each employee's name, occupation, social security number and occupational license number. The Commission shall be notified by the trainer, in writing, within _____ hours of any change;
- (5) the proper identity, custody, care, health, condition and safety of horses in the trainer's charge;
- (6) disclosure of the true and entire ownership of each horse in the trainer's care, custody or control;
- (7) training all horses owned wholly or in part by the trainer which are participating at the race meeting;
- (8) registering with the racing secretary each horse in the trainer's charge within 24 hours of the horse's arrival on association grounds;
- (9) ensuring that, at the time of arrival at a licensed racetrack, each horse in the trainer's care is accompanied by a valid health certificate which shall be filed with the racing secretary;
- (10) having each horse in the trainer's care that is racing, or is stabled on association grounds, tested for Equine Infectious Anemia (EIA) in accordance with state/provincial law and for filing evidence of such negative test results with the racing secretary;
- (11) using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;
- (12) immediately reporting the alteration of the sex of a horse in the trainer's care to the horse identifier and the racing secretary, whose office shall note such alteration on the certificate of registration;

- (13) promptly reporting to the racing secretary and the official veterinarian any horse on which a posterior digital neurectomy (heel nerving) is performed;
- (14) promptly notifying the official veterinarian of any reportable disease and any unusual incidence of a communicable illness of any horse in the trainer's charge;
- (15) promptly reporting the death of any horse in the trainer's care on association grounds to the judges and the official veterinarian and compliance with the rules in chapter 25 governing post-mortem examinations;
- (16) maintaining a knowledge of the medication record and status of all horses in the trainer's care;
- (17) immediately reporting to the judges and the official veterinarian if the trainer knows, or has cause to believe, that a horse in the trainer's custody, care or control has received any prohibited drugs or medication;
- (18) representing an owner in making entries and scratches and in all other matters pertaining to racing;
- (19) horses declared as to eligibility;
- (20) ensuring the fitness of a horse to perform creditably at the distance declared;
- (21) ensuring that the trainer's horses are properly prepared and equipped;
- (22) presenting the horse in the paddock at least ____ minutes before post time or at a time otherwise appointed before the race in which the horse has been declared;
- (23) personally attending to the horse in the paddock and supervising the preparation thereof, unless excused by the judges;
- (24) attending the collection of a urine or blood sample from the horse or delegating a licensed employee or the owner of the horse to do so; and
- (25) notifying horse owners upon the revocation or suspension of the trainer's license. Upon application by the owner, the judges may approve the transfer of such horses to the care of another licensed trainer, and upon such approved transfer, such horses may be declared to race.

D. Restrictions on Wagering

A trainer shall only be allowed to wager on the trainer's horse or entries to win or finish first in combination with other horses.

E. Substitute Trainers

If any licensed trainer is to be absent from the association grounds where the trainer's horse is programmed to race the judges shall be immediately notified and at that time a licensed substitute trainer, acceptable to the judges, shall be appointed to assume responsibility for the horse(s) racing during the absence of the regular trainer. The name of the substitute trainer shall appear on the program if possible. The original trainer shall be responsible for all horses declared by that trainer and the substitute trainer shall be responsible for all horses declared by the substitute trainer.

PMRMR-022-025 OWNERS' AUTHORIZED AGENTS

A. Licenses Required

- (1) An authorized agent shall obtain a license from the Commission.
- (2) Application for license may be required for each owner represented.
- (3) A written instrument signed by the owner shall accompany the application and shall clearly set forth the delegated powers of the authorized agent. The owner's signature on the written instrument shall be acknowledged before a notary public or Commissioner for Oath.
- (4) If the written instrument is a power of attorney it shall be filed with the Commission and attached to the application form.
- (5) Any changes shall be made in writing and filed as provided in 3 above.
- (6) The authorized agent's appointment may be terminated by the owner or authorized agent, in writing, and filed with the Commission.

B. Powers and Duties

- (1) A licensed authorized agent may perform on behalf of the licensed owner-principal all acts as relate to racing, as specified in the agency appointment, that could be performed by the principal if such principal were present.
- (2) In executing any document on behalf of the principal, the authorized agent shall clearly identify the authorized agent and the owner-principal.
- (3) When an authorized agent enters a claim for the account of a principal, the name of the licensed owner for whom the claim is being made and the name of the authorized agent shall appear on the claim slip or card.
- (4) Authorized Agents are responsible for disclosure of the true and entire ownership of each horse for which they have authority at a race meeting. Any change in ownership shall be reported immediately to, and approved by, the judges and recorded by the USTA/SC.

PMRMR-022-030 DRIVERS

- (1) A person shall not drive a horse in any race or performance against time, other than an exhibition race, without being licensed by the Commission.
- (2) The judges may review the performance of a driver at any time and may take the following actions:
 - (a) amend the license category in accordance with USTA/SC license classifications;
 - (b) revoke the license;
 - (c) apply conditions to the license; or
 - (d) require the driver to re-qualify for the driver's license.
- (3) Drivers must report to the paddock judge at least one hour prior to post time of any race in which they are programmed to drive, unless excused by the judges.
- (4) A driver cannot decline to be substituted by the judges.

- (5) Once a driver reports to the paddock the driver shall not enter the public stands or the betting area until the driver's driving duties for the day have been completed. A driver shall not enter the public stands or betting area while wearing colors.
- (6) The judges may remove a driver at any time and substitute an alternate driver.
- (7) A driver shall not drive for any other person in a race in which one of the horses the driver trains or owns has been declared into race, except where such horses are coupled as an entry.
- (8) Drivers shall fulfill all engagements, unless excused by the judges.

PMRMR-022-033 EXERCISE DRIVERS

(repealed at Spring 2003 meetings)

PMRMR-022-035 PRACTICING VETERINARIANS

A. Eligibility

An applicant for a license as practicing veterinarian shall be qualified and licensed to practice veterinary medicine in this jurisdiction and be otherwise qualified to be issued a license to participate in racing. An application for a practicing veterinarian license from the Commission must be accompanied by a copy of the applicant's current license to practice veterinary medicine and approved by the official veterinarian.

B. Responsibility

- (1) All practicing veterinarians administering drugs, medications or other substances shall be responsible for ensuring that the drugs, medications or other substances and the veterinary treatment of horses are administered in accordance with these rules.
- (2) All practicing veterinarians shall promptly notify the official veterinarian of any reportable disease and any unusual incidence of a communicable illness of any horse on association grounds in the practicing veterinarian's care.

C. Restrictions on Wagering

A practicing veterinarian shall not wager on the outcome of any race if the practicing veterinarian has treated a horse participating in that race within the past 30 days.

PMRMR-022-040 HORSESHOERS

Eligibility

An applicant for a license as horseshoer shall:

- (1) be at least 18 years of age;
- (2) be qualified by reason of experience, background and knowledge of horseshoeing, as determined by the judges after consulting with a veterinarian, a licensed trainer

and a horseshoer who is currently licensed by the Commission. A horseshoer's license from another jurisdiction, having been issued within _____ years, may be accepted as evidence of experience and qualifications.

- (3) Evidence of qualifications may require passing one or more of the following:
 - (a) a written examination;
 - (b) an interview or oral examination; and
 - (c) a demonstration of practical skills in horseshoeing.

Applicants not previously licensed as a horseshoer shall be required to pass a written/oral examination, demonstrate practical skills and submit at least two written statements as to the character and qualifications of the applicant.

TYPES OF RACES - CHAPTER 23

PMRMR-023-005 PURPOSE

To describe the various type of races that may be run in harness racing.

PMRMR-023-010 TYPES OF RACES PERMITTED

In presenting a program of racing, the racing secretary shall use exclusively the following types of races:

A. Overnight Races

Overnight events include:

- (1) Conditioned races;
- (2) Claiming races;
- (3) Preferred, invitational, handicap, open or free-for-all races;
- (4) Schooling races; and
- (5) Matinee races

B. Added Money

Added money events include:

- (1) Stakes;
- (2) Futurities;
- (3) Early closing events; and
- (4) Late closing events
- (5) Sweepstakes

C. Match Races

D. Qualifying Races

PMRMR-023-015 OVERNIGHT EVENTS

A. General Provisions

- (1) For the purpose of this rule, overnight events shall include conditioned, claiming, preferred, invitational, handicap, open, free-for-all, schooling or matinee races or a combination thereof.
- (2) At extended race meetings, condition sheets must be available to participants at least ____ hours prior to closing declarations to any race program contained therein. At other race meetings, conditions must be posted and available to participants at least ____ hours prior to closing declarations.

- (3) A fair and reasonable racing opportunity shall be afforded both trotters and pacers in reasonable proportion from those available and qualified to race.
- (4) Substitute races may be provided for each race program and shall be so designated in condition books sheets. A substitute race may be used when a regularly scheduled race fails to fill.
- (5) Regularly scheduled races or substitute races may be divided where necessary to fill a program of racing, or may be divided and carried over to a subsequent racing program, subject to the following:
 - (a) No such divisions shall be used in the place of regularly scheduled races which fill.
 - (b) Where races are divided in order to fill a program starters for each division must be determined by lot after preference has been applied, unless the conditions provide for divisions based upon age, performance, earnings or sex.
 - (c) A race may be divided into two or more divisions at the discretion of the racing secretary, whenever circumstances warrant.
 - (d) When a race is divided, the starting horses for each division are to be determined
 - (i) Firstly by preference, and
 - (ii) Secondly, by lot, unless the conditions for the race otherwise specify.
 - (e) The conditions for the race are not to deprive a horse of an opportunity to race in a normal preference cycle.

B. Conditions

- (1) Conditions shall be based only on:
 - (a) horses' money winnings in a specified number of previous races or during a specified previous time;
 - (b) horses' finishing positions in a specified number of previous races or during a specified period of time;
 - (c) age;
 - (d) sex;
 - (e) number of starts during a specified period of time;
 - (f) special qualifications for foreign horses that do not have a representative number of starts in the United States or Canada;
 - (g) the exclusion of schooling races; or
 - (h) any one or more combinations of the qualifications herein listed.
- (2) Conditions shall not be written in such a way that any horse is deprived of an opportunity to race in a normal preference cycle. Where the word preference is used in a condition, it shall not supersede date preference as provided in the rules. Not more than _____ also eligible conditions shall be used in writing the conditions for overnight events.
- (3) The Commission may, upon application from the racing secretary, approve conditions other than those listed above.

- (4) In the event there are conflicting published conditions and neither one nor the other is withdrawn by the association, the one more favorable to the declarer shall govern.
- (5) For the purpose of eligibility, a racing season or racing year shall be the calendar year. When recording winnings, gross winnings shall be used and cents shall be disregarded.
- (6) Records and time bars shall not be used as a condition of eligibility.
- (7) Horses must be eligible when declarations close subject to the provision that:
 - (a) wins and winnings on or after the closing date of declarations shall not be considered;
 - (b) age allowances shall be given according to the age of the horse on the date the race is contested.
 - (c) in mixed races, trotting and pacing, a horse must be eligible under the conditions for the gait at which it is stated in the declaration the horse.
- (8) When conditions refer to previous performances, those performances shall only include those in a purse race. Each dash or heat shall be considered as a separate performance for the purpose of condition races.
- (9) In overnight events, not more than one trailer shall be permitted, regardless of the size of the track except with the approval of the Commission. At least eight feet per horse must be provided the starters in the front tier.
- (10) The racing secretary or judges may reject the declaration to an overnight event of any horse whose past performance indicates that it would be below the competitive level of other horses declared to that particular event.

PMRMR-023-020 CLAIMING RACES

A. General Provisions

- (1) No horse will be eligible to start in a claiming race unless the owner has provided written authorization, which must include the minimum price for which the horse may be claimed, to the racing secretary prior to declaration. If the horse is owned by more than one party, all parties or the authorized agent must sign the authorization. Any question relating to the validity of a claiming authorization shall be referred to the judges who shall have the authority to disallow a declaration or scratch the horse if they deem the authorization to be improper.
- (2) The designated racing official shall cause to be transferred all changes in ownership of claimed horses as soon as practical.
- (3) The price allowances that govern for claiming races must be approved by the Commission. Claiming prices recorded on past performance lines in the daily race program and on eligibility certificates shall not include allowances.
- (4) The claiming price, including any allowances, of each horse shall be printed on the official program adjacent to the horse's program number and claims shall be for the amount designated, subject to correction if printed in error.

- (5) In handicap claiming races, in the event of an also eligible horse moving into the race, the also eligible horse shall take the place of the horse that it replaces provided that the handicap is the same. In the event the handicap is different, the also eligible horse shall take the position on the outside of horses with a similar handicap, except when the horse that is scratched is a trailing horse, in which case the also eligible horse shall take the trailing position, regardless of its handicap. In handicap claiming races with one trailer, the trailer shall be determined as the fourth best post position.
- (6) To be eligible to be claimed a horse must start in the event in which it has been declared to race. For the purposes of this rule, a horse shall be deemed to have started if it is behind the gate when the field is released at the starting point by the starter.

OR

- (7) The successful claimant of a horse programmed to start may, at the claimant's option, acquire ownership of a claimed horse, even though such claimed horse was scratched and did not start in the claiming race from which it was scratched. The successful claimant must exercise their option by ____ of the next day following the claiming race to which the horse was programmed and scratched. No horse may be claimed from a claiming race unless the race is contested.
- (8) If a horse that has been drawn in to start in a claiming race is scratched for reason other than being ineligible to the race, the horse shall be subject to claim in its next start in this jurisdiction, provided such start occurs within ____ of the date of the scratch, regardless of type and condition of the race, at the claiming price it was subject to in the race in which it was scratched. Where a horse drawn in to start in a claiming race has been declared to start in a subsequent race, the successful claimant of the horse in the first race shall have the option of scratching the horse from the subsequent race and the above time frame provision of this section will not apply.
- (9) Any licensed owner or the authorized agent of such person who holds a current valid Commission license may claim any horse or any person who has properly applied for and been granted a claiming certificate shall be permitted to claim any horse. Any person or authorized agent eligible to claim a horse shall be allowed access to the grounds of the association, excluding the paddock, in order to effect a claim at the designated place of making claims and to take possession of the horse claimed.
- (10) Claiming certificates are valid on day of issue and expire _____. These certificates may be applied for at the Commission's licensing office prior to post time on any day of racing.

B. Prohibitions on Claims

- (1) A person shall not claim directly or indirectly the person's own horse or a horse trained or driven by him/her or cause such horse to be claimed directly or indirectly for his/her own account.
- (2) A person shall not directly or indirectly offer, or directly or indirectly enter into an agreement, to claim or not to claim or directly or indirectly attempt to prevent another person from claiming any horse in a claiming race.
- (3) An owner or prospective owner shall not have more than one claim on any one horse in any claiming race.
- (4) A person shall not directly or indirectly conspire to protect a horse from being claimed by arranging another person to lodge claims, a procedure known as protection claims.

C. Claiming Procedure

- (1) A person desiring to claim a horse must have the required amount of money on deposit with the horsemen's bookkeeper at the time the completed claim form is deposited.
- (2) The claimant shall provide all information required on the claim form provided by the association.
- (3) The claim form shall be completed and signed by the claimant prior to placing it in an envelope provided for this purpose by the association and approved by the Commission. The claimant shall seal the envelope and identify on the outside the date, race number and track name only.
- (4) The envelope shall be delivered to the designated area, or licensed delegate, at least 30 minutes before post time of the race from which the claim is being made. That person shall certify on the outside of the envelope the time it was received, the current license status of the claimant and whether credit in the required amount has been established.
- (5) It shall be the responsibility of the association to ensure that all such claim envelopes are delivered unopened or otherwise undisturbed to the judges prior to the race from which the claim is being made.
- (6) The claim box shall be opened and the claims, if any, examined by the judges prior to the start of the race. The judges shall verify with the horsemen's bookkeeper, that the claimant has on deposit in their account the amount equivalent to the specified claiming price and any other required fees and taxes. No official shall give any information on claims filed until after the race.
- (7) The judges shall disallow any claim made on a form or in a manner which fails to comply with all requirements of this rule.
- (8) When a claim has been lodged it is irrevocable, unless otherwise provided for in these rules.
- (9) In the event more than one claim is submitted for the same horse, the successful claimant shall be determined by lot by the judges, and all unsuccessful claims

- involved in the decision by lot shall, at that time, become null and void, notwithstanding any future disposition of such claim.
- (10) Upon determining that a claim is valid, the judges shall notify the paddock judge of the name of the horse claimed, the name of the claimant and the name of the person to whom the horse is to be delivered. Also, the judges shall cause a public announcement to be made.
 - (11) Every horse entered in a claiming race shall race for the account of the owner who declared it in the event, but title to a claimed horse shall be vested in the successful claimant from the time the horse is deemed to have started, and the successful claimant shall become the owner of the horse, whether it be alive or dead, or sound or unsound, or injured during or after the race.
 - (12) A post-race urinalysis test may be taken from any horse claimed out of a claiming race. The trainer of the horse at the time of entry for the race from which the horse was claimed shall be responsible for the claimed horse until the post-race urine sample is collected.
 - (13) Altering or removing a claimed horse's shoes shall not be permitted.
 - (14) The license of a person who refuses to deliver a horse legally claimed out of a claiming race shall be suspended and the horse is not permitted to race until delivery is made.
 - (15) A claimed horse shall not be eligible to start in any race in the name or interest of the owner of the horse at the time of entry for the race from which the horse was claimed for ___ days, unless reclaimed out of another claiming race. Nor shall such horse remain in or be returned to the same stable or care or management of the first owner or trainer for the same period, unless reclaimed out of another claiming race.
 - (16) The claiming price shall be paid to the owner of the horse at the time entry for the race from which the horse was claimed only when the judges are satisfied that the successful claim is proper and the documentation has been received by the presiding judge for transfer to the new owner.
 - (17) The judges, at the option of the claimant, shall rule a claim invalid if the horse has been found ineligible for the event from which it was claimed.
 - (18) Mares and fillies who are in foal are ineligible for claiming races. Upon receipt of the horse, if a claimant determines within 48 hours that a claimed filly or mare is in foal, he/she may, at their option, return the horse to the owner of the horse at the time of entry for the race from which the horse was claimed.
 - (19) When the judges rule that a claim is invalid and the horse is returned to the owner of the horse at the time of entry for the race in which the invalid claim was made:
 - (a) the amount of the claiming price and any other required fees and/or taxes shall be repaid to the claimant;
 - (b) any purse monies earned subsequent to the date of the claim and before the date on which the claim is ruled invalid shall be the property of the claimant; and
 - (c) the claimant shall be responsible for any reasonable costs incurred through the care, training or racing of the horse while it was in claimant's possession.

PMRMR-023-025 ADDED MONEY EVENTS

A. General Provisions

- (1) All sponsors and presenters of added money events must comply with the rules and must submit to the Commission the conditions and other information pertaining to such events.
- (2) Any conditions contrary to the provisions of any of these rules are prohibited.

B. Conditions

Conditions for added money events must specify:

- (1) which horses are eligible to be nominated;
- (2) the amount to be added to the purse by the sponsor or presenter, should the amount be known at the time;
- (3) the dates and amounts of nomination, sustaining and starting payments;
- (4) whether the event will be raced in divisions or conducted in elimination heats, and;
- (5) the distribution of the purse, in percent, to the money winners in each heat or dash, and the distribution should the number of starters be less than the number of premiums advertised;
- (6) whether also eligible horses may be carded prior to the running heats or legs of added money events.

C. Requirements of Sponsors/Presenters

- (1) Sponsors or presenters of stakes, futurities or early closing events shall provide a list of nominations to each nominator or owner and to the associations concerned within ____ days after the date on which nominations close, other than for nominations payable prior to January 1st of a horse's two-year-old year.
- (2) In the case of nominations for futurities payable during the foaling year, such lists must be forwarded out prior to _____ of that year and, in the case of nominations payable in the yearling year, such lists must be forwarded out not later than _____ of that year.
- (3) Sponsors or presenters of stakes, futurities or early closing events shall also provide a list of horses remaining eligible to each owner of an eligible within ____ days after the date on which sustaining payments are payable. All lists shall include a resume of the current financial status of the event.
- (4) The Commission may require the sponsor or presenter to file with the Commission a surety bond in the amount of the fund to ensure faithful performance of the conditions, including a guarantee that the event will be raced as advertised and all funds will be segregated and all premiums paid. Commission consent must be obtained to transfer or change the date of the event, or to alter the conditions. In any instance where a sponsor or presenter furnishes the

Commission with substantial evidence of financial responsibility satisfactory to the Commission, such evidence may be accepted in lieu of a surety bond.

D. Nominations, Fees and Purses

- (1) All nominations to added money events must be made in accordance with the conditions.
- (2) Dates for added money event nominations payments are:
 - (a) Stakes: The date for closing of nominations on yearlings shall be _____. The date foreclosing of nominations to all other stakes shall fall on the fifteenth day of a month.
 - (b) Futurity: The date for closing of nominations shall be _____ of the year of foaling.
 - (c) Early Closing Events: The date for closing of nominations shall fall on the first or fifteenth day of a month. Nominations on two-year-olds shall not be taken prior to _____.
 - (d) Late Closing Events: The date for closing of nominations shall be at the discretion of the sponsor or presenter.
 - (e) Dates for added money event sustaining payments are:
 - (f) Stakes and Futurities: Sustaining payments shall fall on the fifteenth day of a month. No stake or futurity sustaining fee shall become due prior to (Month) 15th of the year in which the horses nominated become two years of age.
 - (g) Early and Late Closing Events: Sustaining payments shall fall on the _____ or _____ day of a month.
- (3) The starting fee shall become due when a horse is properly declared to start and shall be payable in accordance with the conditions of the added money event. Once a horse has been properly declared to start, the starting fee shall be forfeited, whether or not the horse starts. Should payment not be made ____ minutes before the post time of the event, the horse may be scratched and the payment shall become a liability of the owner who shall, together with the horse or horses, be suspended until payment is made in full, providing the association notifies the Commission within _____ days after the starting date.
- (4) Failure to make any payment as required by the conditions constitutes an automatic withdrawal from the event.
- (5) Conditions that will eliminate horses nominated to an event, or add horses that have not been nominated to an event by reason of performance of such horses at an earlier race meeting, are invalid.
- (6) Early and late closing events shall have not more than _____ also eligible conditions.
- (7) The date and place where early and late closing events will be raced must be announced before nominations are taken. The date and place where stakes and futurities will be raced must be announced as soon as determined but, in any event, such announcement must be made no later than _____ of the year in which the event is to be raced.

- (8) Deductions may not be made from nomination, sustaining and starting payments or from the advertised purse for clerical or any other expenses.
- (9) Every nomination shall constitute an agreement by the person making the nomination and the horse shall be subject to these rules. All disputes and questions arising out of such nomination shall be submitted to the Judges.
- (10) Nominations and sustaining payments must be received by the sponsor or presenter not later than the hour of closing, except those made by mail must bear a postmark placed thereon not later than the hour of closing. The hour of closing shall be _____ o'clock of the due date.
- (11) If conditions require a minimum number of nominations and the event does not fill, the Commission and each nominator shall be notified within ____ days of the closing of nominations and a refund of nomination fees shall accompany such notice to nominators.
- (12) If conditions for early or late closing events allow transfer for change of gait, such transfer shall be to the lowest class the horse is eligible to at the adopted gait, eligibility to be determined at the time of closing nominations. The race to which the transfer may be made must be the one nearest the date of the event originally nominated to. Two-year-olds, three-year-olds, or four-year-olds, nominated in classes for their age, may only transfer to classes for the same age group at the adopted gait to the race nearest the date of the event they were originally nominated to, and entry fees to be adjusted.
- (13) A nominator is required to guarantee the identity and eligibility of nominations, and if this information is given incorrectly nominator may be fined, suspended, or expelled and the horse declared ineligible. If any purse money was obtained by an ineligible horse, the monies shall be forfeited and redistributed among those justly entitled to the same.
- (14) Early or late closing events must be contested if _____ or more betting interests are declared to start. If less horses are declared to start than required, the race may be declared off, in which case the total of nominations, sustaining and starting payments received shall be divided equally to the horses declared to start. Such distribution shall not be credited as purse winnings.
- (15) Stakes or futurities must be contested if one or more horses are declared to start. In the event only one horse, or only horses in the same interest start, it constitutes a walk-over. In the event no declarations are made, the total of nomination and sustaining payments shall be divided equally to the horses remaining eligible after payment to the last sustaining payment, but such distribution shall not be credited as purse winnings.
- (16) Associations shall provide stable space for each horse declared on the day before, the day of and the day following the race.
- (17) The maximum size of fields permitted in any added money event shall be no more than one trailer unless otherwise approved by the Commission.
- (18) An association may elect to go with less than the number of trailers specified in 17 above.

- (19) In the event more horses are declared to start than allowed in one field, the race will be conducted in divisions or eliminations, as specified in the conditions.
- (20) In early closing races, late closing races and overnight races requiring entry fees, all monies paid in by the nominators in excess of ____ percent of the advertised purse shall be added to the advertised purse and the total shall then be considered to be the minimum purse. If the race is split and raced in divisions, the provisions of 22 below shall apply. Provided further that where overnight races are split and raced in eliminations rather than divisions, all starting fees payable under the provisions of this rule shall be added to the advertised purse.
- (21) Where a race other than a stake or futurity is divided, each division must race for at least ____ percent of the advertised purse.
- (22) In added money events conducted in eliminations, starters shall be divided by lot. Unless conditions provide otherwise, ____ percent of the total purse will be divided equally among the elimination heats. The final heat will be contested for ____ percent of the total purse. Unless the conditions provide otherwise, all elimination heats and the final heat must be raced on the same day. If the conditions provide otherwise, elimination heats must be contested not more than ____ days, prior to the date of the final heat. The winner of the final heat shall be the winner of the race.
- (23) The number of horses allowed to qualify for the final heat of an event conducted in elimination heats shall not exceed the maximum number permitted to start in accordance with the rules.
- (24) The judges' decisions in arriving at the official order of finish of elimination heats on the same program shall be final and irrevocable and not subject to appeal or protest.
- (25) Unless the conditions for the added money event provide otherwise the judges shall draw by lot the post positions for the final heat in elimination events, i.e. they shall draw positions to determine which of the two elimination heat winners shall have the pole, and which the second position; which of the two horses that were second shall start in the third position, and which in the fourth, etc.
- (26) In a two-in-three race, a horse must win two heats to win a race and there shall be ____ percent set aside for the race winner. Unless conditions state otherwise, the purse shall be divided and awarded according to the finish in each of the first two or three heats, as the case may be. If the number of advertised premiums exceeds the number of finishers, the excess premiums shall go to the winner of the heat. The fourth heat, when required, shall be raced for ____ percent of the purse set aside for the race winner. In the event there are three separate heat or dash winners and they alone come back in order to determine the race winner, they will take post positions according to the order of their finish in the previous heat. In a two-year-old race, if there are two heat winners and they have made a dead heat in the third heat, the race shall be declared finished and the one standing best in the summary shall be awarded the ____ percent. If the two heat winners make a dead

heat and stand the same in the summary, the ____ percent shall be divided equally among them.

PMRMR-023-030 CANCELLATION OF A RACE

In case of cancellation of races, see PMRMR-024-020 "POSTPONEMENT AND CANCELLATION."

HARNESS RACING RULES OF THE RACE - CHAPTER 24

PMRMR-024-005 PURPOSE

To describe the requirements and the procedures for the running of a race.

PMRMR-024-010 DECLARATIONS AND DRAWING

A. Declarations

- (1) Unless otherwise specified in the conditions, the declaration time shall be as follows:
 - (a) Extended pari-mutuel race meetings, _____ a.m.
 - (b) All other race meetings, _____ a.m.
- (2) The time when declarations close will be considered to be local time at the track where the race is being contested.
- (3) No horse shall be permitted to start in more than one race on any one racing day. Races decided by more than one heat are considered a single race.
- (4) The association shall provide a locked box with an aperture through which declarations shall be deposited.
- (5) The presiding judge shall be in charge of the declaration box.
- (6) Just prior to opening of the box at extended pari-mutuel race meetings where futurities, stakes, early closing or late closing events are on the program, the presiding judge shall check with the racing secretary to ascertain if any declarations by mail, telegraph, facsimile machine or otherwise, are in the office and not deposited in the entry box, and shall see that they are declared and drawn in the proper event. At other race meetings, the presiding judge shall ascertain if any such declarations have been received by the racing secretary and shall see that they are properly declared and drawn.

B. Drawing

- (1) The entry box shall be opened at the advertised time by the presiding judge, who shall ensure that at least one horseman or an official representative of the horsemen is present. No owner or agent for a horse with a declaration in the entry box shall be denied the privilege of being present. Under the supervision of the presiding judge, all entries shall be listed, the eligibility verified, preference ascertained, starters selected and post positions drawn. If it is necessary to reopen any race, public announcement shall be made at least twice and the box reopened to a definite time.
- (2) Subject to Commission approval, at non-extended race meetings in the event of the absence or incapacity of the presiding judge, the functions enumerated above may be performed by a person designated by said judge, for whose acts and conduct said judge shall be wholly responsible. If a substitution is made as herein

provided, the name and address of the person so substituting shall be entered in the Judges' Book.

- (3) At extended race meetings in the event of the absence or incapacity of the presiding judge, the functions enumerated above may be performed by one or more associate judges who all have been designated by the presiding judge, prior to the start of the race meeting, in the form of a written notice to the Commission and to the association conducting the race meeting. A record shall be kept in the Judges' Book showing the name of the individual who performed such functions on each day of the race meeting.
- (4) In races of a duration of more than one dash or heat at pari-mutuel race meetings, the judges may draw post positions from the stand for succeeding dashes or heats.
- (5) Declarations by mail, telegraph, facsimile machine or telephone actually received and evidence of which is deposited in the box before the time specified to declare in, shall be drawn in the same manner as the others. Such drawings shall be final. Mail, telegraph, facsimile machine and telephone declarations must state the name and address of the owner or lessee; the name, color, sex, sire and dam of the horse; the driver's name and racing colors; the date of last start.
- (6) The racing secretary shall check the eligibility of the declaration including the number of starts, firsts, seconds, thirds, earnings and best winning time for the current year; and the event or events in which the horse is to be entered.
- (7) Failure to declare as required shall be considered a withdrawal from the event.
- (8) After declaration to start has been made no horse shall be withdrawn except by permission of the judges. A fine, not to exceed ___, or suspension may be imposed on the party for withdrawing a horse without permission. The horse may be suspended.
- (9) Where the person making the declaration fails to honor it and there is no opportunity for a hearing by the judges, this penalty may be imposed by a Commission representative after a hearing.
- (10) Drawings shall be final unless there is conclusive evidence that a horse properly declared was omitted from the race through the error of the association or its agent or employee in which event the horse shall be added and the race shall be re-drawn, provided the error is discovered prior to scratch time or the printing of the program, whichever is sooner.
- (11) In the event there are two tiers of horses, the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier, except as provided for in handicap claiming races. Whenever a horse is drawn from any tier, horses on the outside move in to fill up the vacancy. When there is only one trailer, it may start from any position in the second tier. When there is more than one trailer, they must start from inside any horse with a higher post position.

C. Qualifying Races

- (1) Qualifying races shall be held according to the demand as determined by the Commission.
- (2) Qualifying standards shall be set at each track by the racing secretary and the judges. Standards for trotters will be two seconds slower than pacers.
- (3) At all extended pari-mutuel race meetings declarations for overnight events shall be governed by the following:
 - (a) Before racing at a chosen gait, a horse must go a qualifying race at that gait under the supervision of a licensed judge and acquire at least one clean charted line by a licensed charter. In order to provide complete and accurate chart information on time and beaten lengths, a standard photo finish shall be in use.
 - (b) Any horse that fails to race within ____ days of its last start must go a qualifying race as set forth in a) above. However, at any race meeting this period can be extended up to ____ days upon receiving approval of the Commission. The time period allowed shall be calculated from the date of the last race to and including the date of declaration.
 - (c) When a horse has raced at a charted race meeting and then gone on to race meetings where the races are not charted the information from the uncharted lines may be summarized including each start and consolidated in favor of charted lines to include a charted line within the last ____ days before the horse is permitted to race. The consolidated line shall carry date, place, time, driver, finish, track condition and distance.
 - (d) The judges may permit a horse to qualify by means of a timed workout consistent with the time of the races in which the horse will compete in the event adequate competition is not available for a qualifying race.
 - (e) When, for the purpose of qualifying the driver, a horse is declared in to race in a qualifying race, its performance shall be applicable to the horse's eligibility to race and the chart line shall be marked to indicate driver qualifying.
 - (f) If a horse takes a win race record in either a qualifying race or a matinee race, such record must be prefaced with the letter "Q" wherever it appears.
- (4) Any horse regularly wearing hobbles shall not be permitted to be declared to race without them and any horse regularly racing without hobbles shall not be permitted to wear hobbles in a race without first having qualified with this equipment change. In addition to the foregoing, any horse regularly wearing hobbles and which is not on a qualifying list or Judges' List, is allowed one start without hobbles in a qualifying race; and this single performance shall not affect its eligibility to race with hobbles in a subsequent event to which it is declared.
- (5) A horse making a break in each of two consecutive races must qualify unless the breaks were equipment breaks or caused by interference.
- (6) A horse must qualify if:
 - (a) it is distanced for reasons other than interference, broken equipment or breaking stride; or
 - (b) it does not finish for reasons other than interference or broken equipment.

- (7) A charted line containing only a break or breaks caused by interference or an equipment break shall be considered a satisfactory charted line.
- (8) The judges shall use the interference break mark only when they have reason to believe that the horse was interfered with by another horse or the equipment of another horse.

D. Coupled Entries

When the starters in a race include _____ or more horses owned by the same person they shall be coupled as an "entry" and a wager on one horse in the entry shall be a wager on all horses in the entry. If the race is split in two or more divisions, horses in an entry shall be seeded. The above provisions shall also apply to elimination heats. The person making the declaration of a horse that qualifies as a coupled entry with another horse entered in the same event shall be responsible to designate the word "entry" on the declaration blank. The presiding judge shall be responsible for coupling horses. In addition to the foregoing, horses separately owned or trained may be coupled as an entry where it is necessary to do so to protect the public interest for the purpose of pari-mutuel wagering only. However, where this is done entries may not be rejected.

E. Also Eligibles

Not more than two horses may be drawn as also eligibles for a race and their positions shall be drawn along with the starters in the race. In the event one or more horses are excused by the judges, the also eligible horse or horses shall race and take the post position drawn by the horse that it replaces, except in handicap races. In handicap races the also eligible horses shall take the place of the horse that it replaces in the event that the handicap is the same. In the event the handicap is different, the also eligible horse shall take the position on the outside of horses with a similar handicap. No horse may be added to a race as an also eligible unless the horse was drawn as such at the time declarations closed. No horse may be barred from a race to which it is otherwise eligible by reason of its preference due to the fact that it has been drawn as an also eligible. The owner or trainer of such a horse shall be notified that the horse is to race and it shall be posted at the racing secretary's office. A horse moved into the race from the also eligible list cannot be withdrawn except by permission of the judges. All horses on the also eligible list and not moved in to race by (Time) on the day of the race shall be released.

F. Preference Dates

Preference dates shall be given to horses in all overnight events at extended pari-mutuel tracks in accordance with the following based on the date of the horse's last previous start in a purse race during the current year is its preference date with the following exceptions:

- (1) The preference date on a horse that has drawn to race and has been scratched is the date of the race from which scratched.
- (2) When a horse is racing for the first time in the current year, the date of the first declaration into a purse race shall be considered its preference date.

- (3) Wherever horses have equal preference in a race, the actual preference of said horses in relation to one another shall be determined from the most recent previous starts which do not result in equal preference.
- (4) When an overnight race has been re-opened because it did not fill, all eligible horses declared into the race prior to the re-opening shall receive preference over other horses subsequently declared, irrespective of the actual preference dates.

PMRMR-024-015 TIMING AND RECORDS

A. Timing

- (1) Time trial performances are permitted subject to the following:
 - (a) Test samples may be required for all horses starting for a time performance.
 - (b) An approved electric timer is required for all time performances. In the event of a failure of a timer during the progress of a time performance, no time trial performance record will be obtained.
 - (c) Time trial performances are permitted only during the course of a regular race meeting with the regular officials in the judges' stand.
 - (d) Time trial performances are limited for two-year-olds who go to equal or beat 2.10, and three-year-olds and over who go to equal or beat 2.05.
 - (e) Time trial performances shall be designated by preceding the time with two capital "T"s.
 - (f) When a horse performs against time, it shall be proper to allow other horses to accompany it in the performance but not to precede it, or be harnessed with it, or in any way attached to it.
 - (g) A break during a time trial is a losing effort and a losing performance shall not constitute a record.
- (2) The time of each heat or dash shall be accurately taken by two timers or an approved electric timing device, in which case there shall be one timer, and placed in the record in minutes, seconds and fifths of seconds, and upon the decision of each heat the time thereof shall be publicly announced or admitted to the record. When the timers fail to act, no time shall be announced or recorded.
- (3) The time shall be taken from the first horse leaving the point from which the distance of the race is measured until the winner reaches the wire.
- (4) The leading horse shall be timed and its time only shall be announced. No horse shall obtain a win race record by reason of the disqualification of another horse unless the horse's actual race time can be determined by photo finish or electronic timing.
- (5) In the case of a dead heat, the time shall constitute a record for the horses making the dead heat and both shall be considered winners.

B. Records

- (1) In order that performances thereon may be recognized or published as official, every association shall have filed with the Commission the certificate of a duly licensed civil engineer or land surveyor that the track has been measured from wire to wire three feet out from the inside hub rail or other fixed marker and certifying exactly the result of such measurement. Each track shall be measured and re-certified in the event of any changes or relocation of the hub rail or other fixed marker.
- (2) A record will be the fastest time made by a horse in a heat or dash which it won, or in a performance against time.
- (3) No time record shall be recognized as a world record if obtained on a track without an inside hub rail or other fixed marker.
- (4) In any case of alleged error in the record, announcement or publication of the time made by a horse, the time so questioned shall not be changed to favor said horse or owner, except upon the sworn statement of the judges and timers who officiated in the race.
- (5) If a horse takes a win-race record in a qualifying race such record must be prefaced with the letter "Q" wherever it appears.
- (6) For racing purposes, horses with foreign earnings shall such earnings converted to U.S. dollars at the rate as of January 1st of the year of the earnings and credited to the horse's official records. A winning performance at a mile or greater distance, expressed at a mile rate, shall receive recognition as the horse's record.
- (7) Any person found guilty of fraudulent misrepresentation of time or the alteration of the record thereof, in any race, shall be fined, suspended, expelled or a combination thereof and time declared not a record.

PMRMR-024-020 POSTPONEMENT AND CANCELLATION

In case of unfavorable weather or other unavoidable cause, associations with the consent of the Judges shall postpone or cancel races in accordance with the following rules.

- (1) Added money events shall be postponed and rescheduled.
- (2) An early closing event or a late closing event that cannot be raced during the scheduled race meeting shall be declared off and the total of nomination, sustaining and starting payments divided equally among the owners of eligibles in proportion to the number of horses declared to start.
- (3) An early closing event or late closing event that has been started, but remains unfinished on the last day of the scheduled race meeting shall be declared ended and the full purse divided according to the summary.
- (4) Stakes and futurities should be raced where advertised and the race meeting may be extended to accomplish this. Any stake or futurity that has been started, but which remains unfinished on the last day of the scheduled race meeting shall be declared ended and the full purse divided according to the summary, except where the association elects to extend the race meeting to complete the race. Horses that

- are scratched after a heat and before the race is declared finished shall not participate in purse distributions for subsequent heats in the event the race is called off and declared finished.
- (5) Unless otherwise provided in the conditions, in order to transfer stakes and futurities to another race meeting, unanimous consent must be obtained from the association and all those having eligibles in the event.
 - (6) Overnight events may be postponed and rescheduled within two days, or may be cancelled if circumstances or weather conditions warrant. Postponed overnight events not raced within two days shall then be cancelled.
 - (7) If the track conditions are questionable for the warming up or racing of horses, the judges shall convene a race meeting with the representative of the drivers and trainers and a representative of management. If required by the judges and the representative of the drivers and trainers shall conduct a secret ballot of the drivers and trainers of horses participating in that program of racing to determine whether racing should be conducted. If the vote of the drivers and trainers determines that more than ____ percent vote against racing, the card shall be cancelled. If more than ____ percent and less than ____ percent vote to race, trainers will be allowed to withdraw horses without penalty. If more than ____ percent vote to race, the regular rules of withdrawal and scratching of horses will apply.
 - (8) Where a race is postponed pursuant to any of the foregoing provisions only those horses originally declared in to the postponed event shall to be eligible to race. Where a race is postponed and moved to another location, horses previously declared may withdraw without penalty.

PMRMR-024--025 HORSES PERMITTED TO RACE

- (1) A horse shall be eligible to be declared in to race provided the following conditions have been met:
 - (a) the eligibility fee, which shall become due and payable when a horse makes its first start in any type of race in a calendar year, has been paid to the United States Trotting Association/Standardbred Canada, or a valid eligibility certificate has been granted for the horse by the United States Trotting Association and its Standardbred Canada eligibility fee has been paid.
 - (b) the horse has been registered in the current ownership with the Canadian Standardbred Horse Society or the United States Trotting Association;
 - (c) if leased, a copy of the lease which is acceptable to the commission is on file with United States Trotting Association/Standardbred Canada;
 - (d) the horse has qualified in accordance with the rules prior to the time of closing of;
 - (e) not more than ____ days prior to the time of closing of declarations, the horse was credited with a satisfactory charted past performance line obtained in a purse, qualifying race conducted at a charted race meeting;
 - (f) the horse is at least two years of age to race at any race meeting but not older than ____ years of age;

- (g) the horse has been denerved by any method other than posterior digetal neurectomy. The decision at any given time whether the horse has been denerved shall be the Commission veterinarian's.
- (h) if a horse is a spayed mare, that fact is noted on the program, registration certificate, eligibility certificate and the list of those horses posted on the horsemen's bulletin board, and the United States Trotting Association/Standardbred Canada has been notified in writing by the owner, trainer or veterinarian;
- (i) the horse does not have a trachea tube or a hole in its throat for a trachea tube;
- (j) the horse has unimpaired vision in at least one eye;
- (k) the horse has been lip tattooed, freeze branded or identified by other approved methods in accordance with the constitution and by-laws and regulations of the United States Trotting Association/Canadian Standardbred Horse Society.
- (2) If a horse participates in a race or event after having been declared into a subsequent race or event it shall be ruled ineligible to the subsequent race or event and scratched if its performance in the initial race or event makes it ineligible under the rules. If the race or event from which the horse is scratched is an added money event, any starting fee paid or payable shall be forfeited.
- (3) Any participant who declares, or causes to be declared, an ineligible horse to start shall be guilty of a violation of the rules and subject to disciplinary action by the judges. If after declarations close, and prior to the race, the judges become aware that an ineligible horse has been declared, they shall immediately scratch the horse and starting fees, if applicable, shall be forfeited.
- (4) If the ownership of a horse changes, such horse may start under the new ownership not more than (Number of Times) without reasonable evidence being given to the judges that the registration certificate has been forwarded to the Canadian Standardbred Horse Society or the United States Trotting Association.
- (5) Any participant skipping or omitting transfers of ownership of any horse shall be guilty of a violation and subject to disciplinary action.
- (6) For the purposes of these rules, the term eligibility certificate shall refer to a printed document or its electronically produced equivalent.
- (7) Horses not under lease must race in the name of the bona fide owner unless the horse is leased in which case they must race under the name of the leasee.

PMRMR-024-030 EQUIPMENT

A. Sulkies

All racing sulkies must meet the standards as approved by the United States Trotting Association prior to being used in any sanctioned races.

B. Other Equipment

Any change in equipment must be approved by the judges and be shown on the program

- (1) Any owner or trainer who wishes to change any equipment or hobbles on a horse from one race to another shall apply in writing no later than at the time of declaration to the judges.
- (2) No horse will be permitted in a race to wear any type of equipment that covers, protrudes, or extends beyond its nose or that in any way could interfere with the true placing of the horse.

PMRMR-024-035 RACING RULES

A. Under Supervision of Starter

- (1) Horses shall be under supervision of the starter from the time they arrive on the track until the start of the race.
- (2) All horses shall parade from the paddock to the starting post, and no driver shall dismount without the permission of the starter. Attendants may not care for the horses during the parade except by permission of the starter.
- (3) After entering the track not more than ____ minutes shall be consumed in the parade of the horses to the post except in cases of unavoidable delay.
- (4) Horses awaiting post time may not be held on the backstretch in excess of ____ minutes, except when delayed by an emergency.

B. Fair Start

The starter shall give such orders and take such measures that do not conflict with the rules of racing, as are necessary to secure a fair start.

C. Starting

- (1) The starter shall have control of the formation of the parade until giving the word "go."
- (2) After one or two preliminary warming up scores, the starter shall notify the drivers to come to the starting gate. During or before the parade the drivers must be informed as to the number of scores permitted.
- (3) The horses shall be brought to the starting gate as near one-quarter of a mile before the start as the track will permit.
- (4) Allowing sufficient time so that the speed of the gate can be increased gradually to ensure a fair and safe start.
- (5) The starting point will be a point marked at a designated spot not less than 200 feet from the first turn. The starter shall give the word "go" at the starting point.
- (6) When a speed has been reached in the course of a start there shall be no decrease except in the case of a recall.

D. Recall Rules

- (1) In case of a recall, a light plainly visible to the drivers shall be flashed and a recall sounded. In the case of a recall, whenever possible, the starter shall leave the

- wings of the gate extended and gradually slow the speed of the gate to assist in stopping the field of horses. In an emergency, however, the starter shall use his/her discretion to close the wings of the gate.
- (2) There shall be no recall after the word "go" has been given unless there is a mechanical failure of the starting gate.
 - (3) Any horse, regardless of its position or an accident, shall be deemed a starter from the time it entered into the starter's control unless dismissed by the starter.
 - (4) The starter shall attempt to dispatch all horses away in position and on gait but there shall be no recall for a breaking horse after the recall point is passed.
 - (5) In the event a horse causes two recalls, it shall be an automatic ruling of the judges that the offending horse be scratched.
 - (6) The starter may sound a recall for the following reasons:
 - (a) a horse scores ahead of the gate;
 - (b) there is interference before the word "go" is given;
 - (c) a horse has broken equipment;
 - (d) a horse falls before the word "go" is given;
 - (e) a mechanical failure of the starting gate; or
 - (f) a horse comes to the starting gate out of position.
 - (7) There shall be a recall pole placed one-eighth of a mile before the starting point, before or at which point, at the discretion of the starter, there may be a recall for a breaking horse or horses not up to the gate. When the recall pole is passed, there shall be no recall for a breaking horse or a horse not up to the gate except as provided in 5 a)-f) above.
 - (8) A fine and/or suspension may be applied to any driver for:
 - (a) delaying the start;
 - (b) failure to obey the starter's instructions;
 - (c) rushing ahead of the inside or outside wing of the gate;
 - (d) coming to the starting gate out of position;
 - (e) crossing over before reaching the starting point;
 - (f) interference with another horse or driver during the start; or
 - (g) failure to come up into position and remain in position.

E. Starting Gate

- (1) No persons shall be allowed to ride in the starting gate except the starter and the driver or operator and a patrol judge, unless permission has been granted by the Judges.
- (2) Use of the loudspeaker for any purpose other than to give instructions to the drivers is prohibited. The volume shall be no higher than necessary to carry the voice of the starter to the drivers.
- (3) The arms of all starting gates shall be provided with a screen or shield in front of the position for each horse, and such arms shall be perpendicular to the rail.
- (4) The official starter must ensure that the starting gate is in good working order prior to the beginning of each race program.

- (5) The official starter and starting gate driver shall operate the starting gate in a manner consistent with the safe conduct of the race, the safety of the race participants and the safety of the patrons.

F. Two-Tiered Races

- (1) In the event there are two tiers of horses, the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the positions of horses that have drawn or entered positions in the second tier.
- (2) Whenever a horse is drawn from any tier, horses on the outside move in to fill the vacancy. Where a horse has drawn a post position in the second tier, the driver of such horse may elect to score out behind any horse in the front tier so long as it does not interfere with another trailing horse or deprive another trailing horse of a drawn position.
- (3) When there is only one trailer, it may start from any position in the second tier. When there is more than one trailer, they must start from inside any horse with a higher post position.

G. Horse Deemed a Starter

Horses shall be deemed to have started when the word "go" is given by the starter and all horses must go the course except in the case of an accident or injury in which it is the opinion of the judges that it is impossible to go the course.

H. Unmanageable/Bad Acting Horses

If, in the opinion of the judges and/or the starter, a horse is unmanageable or liable to cause accidents or injury to any other horse or to any driver, it shall be scratched and placed on the judges' list.

I. Post Positions, Heat Racing

- (1) The horse winning a heat shall take the inside position in the succeeding heat, unless otherwise specified in the published conditions of the race, and all others shall take their positions in the order they were placed in the prior heat.
- (2) When two or more horses dead heat, their positions shall be determined by lot.

J. Conduct of the Race

- (1) A driver shall not commit any of the following acts which are considered violations of driving rules:
 - (a) Change course or position, or swerve in or out, or bear in or out during any part of the race in such a manner as to compel a horse to shorten its stride or cause another driver to change course, take his or her horse back, or pull his/her horse out of its stride.
 - (b) Impede the progress of another horse or cause it to break from its gait.
 - (c) Cross over too sharply in front of another horse or in front of the field.
 - (d) Crowd another horse by 'putting a wheel under it.'

- (e) Allow another horse to pass needlessly on the inside, or commit any other act that helps another horse to improve its position.
- (f) Carry another horse out.
- (g) Take up or slow up in front of other horses so as to cause confusion or interference among the trailing horses.
- (h) Maintain an outside position without making the necessary effort to improve his/her overall position.
- (i) Strike or hook wheels with another sulky.
- (j) Lay off a normal pace and leave a hole when it is well within the horse's capacity to keep the hole closed.
- (k) Drive in a careless or reckless manner.
- (l) Fail to set, maintain or properly contest a pace comparable to the class in which the driver is racing considering the horse's ability, track conditions, weather and circumstances confronted in the race.
- (2) A complaint by a driver of any foul, violation of the rules or other misconduct during a race shall be made immediately after the race to which it relates, unless the driver is prevented from doing so by an accident or injury or other reasonable excuse. A driver desiring to enter a claim of foul, or other complaint of violation of the rules, shall make this known to the nearest patrol judge and shall proceed immediately to the paddock telephone to communicate immediately with the judges. The judges shall not cause the official sign to be posted until the matter has been dealt with.
- (3) A driver unless incapacitated shall be guilty of a violation for failure to report any infraction by another driver against him/her that occurred during a race, or for lodging a complaint which the judges deem to be frivolous.
- (4) If a violation is committed by a person driving a horse coupled as an entry the judges may set both horses back if, in their opinion, the violation may have affected the finish of the race, otherwise penalties may be applied individually.
- (5) In the case of interference, collision, or violation of any rules, the offending horse may be placed back one or more positions in that heat or dash, and in the event of such collisions, interference or violation preventing any horse from finishing the heat or dash, the offending horse may be disqualified from receiving any winnings and the driver may be fined or suspended. If a horse is set back, it must be placed behind the horse with which it interfered. If an offending horse has interfered with a horse involved in a dead heat and the offending horse is set back, it must be placed behind the horses in the dead heat.
- (6) If the judges believe that a horse is, or has been driven with design to prevent it winning a race or races, they shall consider it a violation by the driver.
- (7) If the judges believe that a horse has been driven in an inconsistent manner, they shall consider it a violation.
- (8) If the judges believe that a horse has been driven in an unsatisfactory manner due to lack of effort or a horse has been driven in an unsatisfactory manner for any other reason, they shall consider it a violation.

- (9) If a horse is suspected to have choked or bled during a race, the driver and/or trainer of that horse is required to report this to the judges immediately after the race. This information shall be contained in the official past performance line of that horse.
- (10) If, in the opinion of the judges, a driver is for any reason unfit or incompetent to drive, or is reckless in his/her conduct and endangers the safety of horses or other drivers in a race, he/she shall be removed and another driver substituted at any time and the offending driver may be subject to disciplinary action.
- (11) A driver must be mounted in the sulky at all times during the race or the horse shall be placed as a non-finisher.
- (12) Shouting or other improper conduct in a race is forbidden.
- (13) Drivers shall keep both feet in the stirrups during the post parade and from the time the horses are brought to the starting gate until the race has been completed. Drivers shall be permitted to remove a foot from the stirrups during the course of the race solely for the purpose of pulling ear plugs and once same have been pulled the foot must be placed back into the stirrup. Drivers who violate this rule may be subject to disciplinary action.
- (14) Drivers will be allowed to use whips not to exceed three feet, nine inches in length plus a snapper not to exceed six inches in length. Whips shall not be made of rawhide and shall be approved by the judges.
- (15) The use of any goading device, chain, spur, mechanical or electrical device or any other device other than a whip as allowed in the rules, upon any horse, shall constitute a violation.
- (16) The possession of any mechanical or electrical goading device on the grounds of an association shall constitute a violation.
- (17) The judges/ judges shall have the authority to disallow the use of any equipment or harness that they feel is unsafe or not in the best interests of racing.
- (18) Brutal or excessive or indiscriminate use of a whip, or striking a horse with the butt end of a whip, or striking a wheel disc of a sulky with a whip, shall be a violation.
- (19) Whipping a horse by using the whip below the level of the shafts or the seat of the sulky or between the legs of the horse shall be a violation.
- (20) When a horse breaks from its gait, it shall be considered a violation on the part of the driver for:
 - (a) Failure to take the horse to the outside of other horses when clearance exists.
 - (b) Failure to properly attempt to pull the horse to its gait.
 - (c) Failure to lose ground while on a break.
 - (d) If no violation has been committed, the horse shall not be set back unless a contending horse on his/her gait is lapped on the hindquarter of the breaking horse at the finish. The judges may set any horse back one or more places if in their judgment, any of the above violations have been committed, and the driver may be penalized.

- (21) If, in the opinion of the judges, a driver allows a horse to break for the purpose of losing a race, the driver shall be subject to disciplinary action.
- (22) The horse whose nose reaches the finish line first is the winner. If there is a dead heat for first, both horses shall be considered winners. In races having more than one heat or dash, where two horses are tied in the summary, the winner of the longer dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same distance and the horses are tied in the summary, the winner of the faster dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same time, both horses shall be considered winners and the entitlement of the trophy will be decided by lot.
- (23) If, during the preliminary scores or during a race a driver is unseated in such a manner that he or she falls to the ground, the judges may direct the driver to report to the infirmary or to the emergency department of the nearest hospital for examination and receive written clearance to continue with driving assignments on that day of racing.
- (24) If a horse is to warm up it must go its last warm-up on the same racing strip as it will compete on unless excused by the judges.
- (25) If for any cause other than being interfered with, or broken equipment, a horse fails to finish after starting a race, that horse shall be ruled out of any subsequent heat of the same event. If it is alleged that a horse failed to finish a race because of broken equipment, this fact must be reported to the paddock judge who shall make an examination to verify the allegation and report the findings to the judges.

A. Hubrail

If at a racetrack which does not have a continuous solid inside hub rail, a horse or part of the horse's sulky leaves the course by going inside the hub rail or other demarcation which constitutes the inside limits of the course, the offending horse shall be placed one or more positions where, in the opinion of the judges, the action gave the horse an unfair advantage over other horses in the race, or the action helped the horse improve its position in the race. In addition, when an act of interference causes a horse or part of the horse's sulky to cross the inside limits of the course, and the horse is placed by the judges, the offending horse shall be placed behind the horse with which it interfered.

B. Passing Lane

- (1) With the approval of the commission, an association may extend the width of its homestretch up to ten feet inward in relation to the width of the rest of the track.
- (2) Horses using the passing lane must first have complete clearance of the pylons. Any horse or sulky running over the pylons and/or going to the inside of the pylons to clear shall be disqualified.
- (3) When a passing lane exists, a horse may not enter the passing lane except under the following conditions.
 - (a) When entering the final homestretch run.
 - (b) For the purpose of attempting to improve the horse's position.

EQUINE VETERINARY PRACTICES, HEALTH AND MEDICATION - CHAPTER 25

PMRMR-025-005 Purpose:

To describe requirements and procedures used to ensure the health and welfare of racehorses and to safeguard the interests of the public and the participants in racing.

PMRMR-025-010 Veterinary Practices

A. Veterinarians under Authority of Official Veterinarian

Veterinarians licensed by the Commission and practicing at any location under the jurisdiction of the Commission are under the authority of the official veterinarian and the stewards. The official veterinarian shall recommend to the stewards or the Commission the discipline that may be imposed upon a veterinarian who violates the rules.

B. Treatment Restrictions

- (1) Except as otherwise provided by this subsection, no person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the Commission may administer a prescription or controlled medication, drug, chemical or other substance (including any medication, drug, chemical or other substance by injection) to a horse at any location under the jurisdiction of the Commission.
- (2) This subsection does not apply to the administration of the following substances except in approved quantitative levels, if any, present in post-race samples or as they may interfere with post-race testing:
 - (a) A recognized non-injectable nutritional supplement or other substance approved by the official veterinarian;
 - (b) A non-injectable substance on the direction or by prescription of a licensed veterinarian; or
 - (c) A non-injectable non-prescription medication or substance.
- (3) No person shall possess a hypodermic needle, syringe or injectable of any kind on association grounds, unless otherwise approved by the Commission. At any location under the jurisdiction of the Commission, veterinarians may use only one-time disposable needles, and shall dispose of them in a manner approved by the Commission. If a person has a medical condition which makes it necessary to have a syringe at any location under the jurisdiction of the Commission, that person may request permission of the stewards and/or the Commission in writing, furnish a letter from a licensed physician explaining why it is necessary for the person to possess a syringe, and must comply with any conditions and restrictions set by the stewards and/or the Commission.

- (4) Veterinarians shall not have contact with an entered horse on raceday except for the administration of furosemide under the guidelines set forth in PMRMR-011-020 F.) unless approved by the official veterinarian.

C. Veterinarians' Reports

- (1) Every veterinarian who treats a racehorse at any location under the jurisdiction of the Commission shall, in writing on a form(s) approved by the Commission, report to the official veterinarian the name of the horse treated, any medication, drug, substance, or procedure administered or prescribed, the name of the trainer of the horse, the date and time of treatment and any other information requested by the official veterinarian.
- (2) The report shall be signed by the practicing veterinarian.
- (3) The report shall be on file not later than the time prescribed by the official veterinarian. Any such report is confidential and its content shall not be disclosed except in the course of an investigation of a possible violation of these rules or in a proceeding before the stewards or the Commission, or to the trainer or owner of record at the time of treatment.
- (4) A timely and accurate filing of a Veterinarian Report that is consistent with the analytical results of a positive test may be used as a mitigating factor in determining the nature and extent of a violation of these rules.

PMRMR-025-015 Prohibited Practices

The following are considered prohibited practices:

- (1) The possession or use of a drug, substance or medication on the premises of a facility under the jurisdiction of the Commission for which a recognized analytical method has not been developed to detect and confirm the administration of such substance; or the use of which may endanger the health and welfare of the horse or endanger the safety of the driver; or the use of which may adversely affect the integrity of racing; or,
- (2) The possession or use of a drug, substance, or medication on the premises of a facility under the jurisdiction of the Commission that has not been approved by the United States Food and Drug Administration (FDA) for any use in (human or animal) is forbidden without prior permission of the Commission or its designee.
- (3) The possession and/or use of blood doping agents, including but not limited to those listed below, on the premises of a facility under the jurisdiction of the Commission is forbidden:
 - (a) Erythropoietin;
 - (b) Darbepoetin;
 - (c) Oxyglobin®; and
 - (d) Hemopure®.
- (4) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted unless the following conditions are met:

- (a) Any treated horse shall not be permitted to race for a minimum of X days following treatment;
- (b) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines shall be limited to veterinarians licensed to practice by the Commission;
- (c) Any Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines on the association grounds must be registered with and approved by the Commission or its designee before use;
- (d) All Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy treatments must be reported to the official veterinarian on the prescribed form not later than the time prescribed by the official veterinarian.
- (5) The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or his/her designee.

PMRMR-025-020 Medications and Prohibited Substances

Upon a finding of a violation of these medication and prohibited substances rules, the stewards shall consider the classification level of the violation as listed in at the time of the violation in the Uniform Classification Guidelines of Foreign Substances as promulgated by the Association of Racing Commissioners International and impose penalties and disciplinary measures consistent with the recommendations contained therein. The stewards shall also consult with the official veterinarian to determine the nature and seriousness of the laboratory finding or the medication violation and if the violation was a result of the administration of a therapeutic medication as documented in a veterinarian's report received per PMRMR-011-010 (C). Provided, however, that in the event a majority of the stewards determine that mitigating circumstances require imposition of a lesser penalty they may impose the lesser penalty. In the event a majority of the stewards wish to impose a greater penalty or a penalty in excess of the authority granted them, then, and in such event, they may impose the maximum penalty authorized and refer the matter to the Commission with specific recommendations for further action. In determining if there are mitigating circumstances surrounding a medication violation for substances referred to in sections E, F, H, and I of this Rule the stewards shall consider, at least the following:

- 1. The past record of the trainer in drug cases;
- 2. The potential of the drug(s) to influence a horse's racing performance;
- 3. The availability of the drug;
- 4. Whether there is reason to believe the responsible party knew of the administration of the drug use;
- 5. The steps taken by the trainer to safeguard the horse;
- 6. The probability of environmental contamination or inadvertent exposure due to human drug use;
- 7. The purse of the race;

8. Whether the drug found was one for which the horse was receiving a treatment as determined by the Veterinarian Report(s), and;
9. Whether there was any suspicious betting pattern in the race.

A. Uniform Classification Guidelines

The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the official veterinarian and the racing secretary.

(1) Class 1

Opiates, opium derivatives, synthetic opioids, psychoactive drugs, amphetamines and U.S. Drug Enforcement Agency (DEA) scheduled I and II drugs. Also found in this class are drugs which are potent stimulants of the nervous system. Drugs in this class have no generally accepted medical use in the racehorse and their pharmacological potential for altering the performance of a race is very high.

(2) Class 2

Drugs in this category have a high potential for affecting the outcome of a race. Most are not generally accepted as therapeutic agents in the racehorse. Many are products intended to alter consciousness or the psychic state of humans, and have no approved or indicated use in the horse. Some, such as injectable local anesthetics, have legitimate use in equine medicine, but should not be found in a racehorse. The following groups of drugs are in this class:

- (a) Opiate partial agonists, or agonist-antagonists;
- (b) Non-opiate psychotropic drugs, which may have stimulant, depressant, analgesic or neuroleptic effects;
- (c) Miscellaneous drugs which might have a stimulant effect on the central nervous system (CNS);
- (d) Drugs with prominent CNS depressant action;
- (e) Antidepressant and antipsychotic drugs, with or without prominent CNS stimulatory or depressant effects;
- (f) Muscle blocking drugs which have a direct neuromuscular blocking action;
- (g) Local anesthetics which have a reasonable potential for use as nerve blocking agents (except procaine); and
- (h) Snake venoms and other biologic substances, which may be used as nerve blocking agents.

(3) Class 3

Drugs in this class may or may not have an accepted therapeutic use in the horse. Many are drugs that affect the cardiovascular, pulmonary and autonomic nervous systems. They all have the potential of affecting the performance of a racehorse. The following groups of drugs are in this class:

- (a) Drugs affecting the autonomic nervous system which do not have prominent CNS effects, but which do have prominent cardiovascular or respiratory system effects (bronchodilators are included in this class);

- (b) A local anesthetic which has nerve blocking potential but also has a high potential for producing urine residue levels from a method of use not related to the anesthetic effect of the drug (procaine);
- (c) Miscellaneous drugs with mild sedative action, such as the sleep inducing antihistamines;
- (d) Primary vasodilating/hypotensive agents; and
- (e) Potent diuretics affecting renal function and body fluid composition.
- (4) Class 4

This category is comprised primarily of therapeutic medications routinely used in racehorses. These may influence performance, but generally have a more limited ability to do so. Groups of drugs assigned to this category include the following:

- (a) Non-opiate drugs which have a mild central analgesic effect;
- (b) Drugs affecting the autonomic nervous system which do not have prominent CNS, cardiovascular or respiratory effects
 - (i) Drugs used solely as topical vasoconstrictors or decongestants
 - (ii) Drugs used as gastrointestinal antispasmodics
 - (iii) Drugs used to void the urinary bladder
 - (iv) Drugs with a major effect on CNS vasculature or smooth muscle of visceral organs.
- (v) Antihistamines which do not have a significant CNS depressant effect (This does not include H1 blocking agents, which are listed in Class 5);
- (c) Mineralocorticoid drugs;
- (d) Skeletal muscle relaxants;
- (e) Anti-inflammatory drugs--those that may reduce pain as a consequence of their anti-inflammatory actions, which include:
 - (i) Non-Steroidal Anti-Inflammatory Drugs (NSAIDs);
 - (ii) Corticosteroids (glucocorticoids); and
 - (iii) Miscellaneous anti-inflammatory agents.
- (f) Anabolic and/or androgenic steroids and other drugs;
- (g) Less potent diuretics;
- (h) Cardiac glycosides and antiarrhythmics including:
 - (i) Cardiac glycosides;
 - (ii) Antiirrythmic agents (exclusive of lidocaine, bretylium and propanolol); and
 - (iii) Miscellaneous cardi tonic drugs.
- (i) Topical Anesthetics--agents not available in injectable formulations;
- (j) Antidiarrheal agents; and
- (k) Miscellaneous drugs including:
 - (i) Expectorants with little or no other pharmacologic action;
 - (ii) Stomachics; and
 - (iii) Mucolytic agents.
- (5) Class 5

Drugs in this category are therapeutic medications for which concentration limits have been established as well as certain miscellaneous agents. Included specifically are

agents, which have very localized action only, such as anti-ulcer drugs and certain anti-allergenic drugs. The anticoagulant drugs are also included.

B. Penalties

Administrative action and, if warranted, penalties may be taken against any person found to be responsible or party to the improper administration of a drug or the intentional administration of a drug resulting in a positive test.

COMMITTEE NOTE: This section is presently being reviewed by the Consortium which expects to have recommendations for consideration by summer 2004.

- (1) Class 1--One to five years suspension and a \$5,000 fine and loss of purse.
- (2) Class 2-- Six months to one year suspension and \$1,500 to \$2,500 fine and loss of purse.
- (3) Class 3-- Sixty days to six months suspension and up to \$1,500 fine and possible loss of purse.
- (4) Class 4--Fifteen to 60 days suspension and up to \$1,000 fine and possible loss of purse.
- (5) Class 5--Zero to 15 days suspension with a possible loss of purse and/or fine.

C. Medication Restrictions

- (1) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include:
 - (a) Drugs or medications for which no acceptable threshold concentration has been established;
 - (b) Therapeutic medications in excess of established threshold concentrations;
 - (c) Substances present in the horse in excess of concentrations at which such substances could occur naturally; and
 - (d) Substances foreign to a horse at concentrations that cause interference with testing procedures.
- (2) Except as otherwise provided by this chapter, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this chapter during the 24-hour period before post time for the race in which the horse is entered.

D. Medical Labeling

- (1) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication,

- chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection.
- (2) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:
- (a) The name of the product;
 - (b) The name, address and telephone number of the veterinarian prescribing or dispensing the product;
 - (c) The name of each patient (horse) for whom the product is intended/prescribed;
 - (d) The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and
 - (e) The name of the person (trainer) to whom the product was dispensed.

E. Non-Steroidal Anti-Inflammatory Drugs (NSAIDs)

- (1) The use of one of three approved NSAIDs shall be permitted under the following conditions:
- (a) Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered:
 - (i) Phenylbutazone (or its metabolite oxyphenylbutazone) – 5 micrograms per milliliter;
 - (ii) Flunixin – 20 nanograms per milliliter;
 - (iii) Ketoprofen – 10 nanograms per milliliter.
 - (b) These or any other NSAID are prohibited to be administered within the 24 hours before post time for the race in which the horse is entered.
 - (c) The presence of more than one of the three approved NSAIDs or any unapproved NSAID in the post-race serum or plasma sample is not permitted. The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.
- (2) Any horse to which a NSAID has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative NSAID level(s) and/or the presence of other drugs which may be present in the blood or urine sample(s).

F. Furosemide

- (1) Furosemide may be administered intravenously to a horse, which is entered to compete in a race. Except under the instructions of the official veterinarian or the racing veterinarian for the purpose of removing a horse from the Veterinarian's List or to facilitate the collection of a post-race urine sample, furosemide shall be permitted only after the official veterinarian has placed the horse on the

- Furosemide List. In order for a horse to be placed on the Furosemide List the following process must be followed.
- (a) After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide they shall notify the official veterinarian or his/her designee, using the prescribed form, that they wish the horse to be put on the Furosemide List.
 - (b) The form must be received by the official veterinarian or his/her designee by the proper time deadlines so as to ensure public notification.
 - (c) A horse placed on the official Furosemide List must remain on that list unless the licensed trainer and licensed veterinarian submit a written request to remove the horse from the list. The request must be made to the official veterinarian or his/her designee, on the proper form, no later than the time of entry.
 - (d) After a horse has been removed from the Furosemide List, the horse may not be placed back on the list for a period of 60 calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the official veterinarian. If a horse is removed from the official Furosemide List a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.
- (2) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is utilized:
- (a) Furosemide shall be administered at the direction of the official veterinarian no less than four hours prior to post time for the race for which the horse is entered.
 - (b) A horse qualified for furosemide administration must be brought to the detention barn within time to comply with the four-hour administration requirement specified above.
 - (c) The dose administered shall not exceed 500 mg. nor be less than 150 mg.
 - (d) Furosemide shall be administered by a single, intravenous injection.
 - (e) After treatment, the horse shall be required by the Commission to remain in the detention barn in the care, custody and control of its trainer or the trainer's designated representative under association and/or Commission security supervision until called to the saddling paddock.
- (3) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized:
- (a) Furosemide shall be administered no less than four hours prior to post time for the race for which the horse is entered.
 - (b) The furosemide dosage administered shall not exceed 500 mg. nor be less than 150 mg.
 - (c) Furosemide shall be administered by a single, intravenous injection.
 - (d) The trainer of the treated horse shall cause to be delivered to the official veterinarian no later than one hour prior to post time for the race for which the horse is entered the following information under oath on a form provided by the Commission:

- (i) The name of the horse, racetrack name, the date and time the furosemide was administered to the entered horse;
 - (ii) The dosage amount of furosemide administered to the entered horse; and
 - (iii) The printed name and signature of the attending licensed veterinarian who administered the furosemide.
- (4) Test results must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.
 - (a) The specific gravity of post-race urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010. If the specific gravity of the urine is found to be below 1.010 or if a urine sample is unavailable for testing, quantitation of furosemide in serum or plasma shall be performed;
 - (b) Quantitation of furosemide in serum or plasma shall be performed when the specific gravity of the corresponding urine sample is not measured or if measured below 1.010. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma

G. Bleeder List

- (1) The official veterinarian shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by the official veterinarian.
- (2) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to race for the following time periods:
 - (a) First incident – 14 days;
 - (b) Second incident within 365 day period – 30 days;
 - (c) Third incident within 365 day period – 180 days;
 - (d) Fourth incident within 365-day period – barred for racing lifetime.
- (3) For the purposes of counting the number of days a horse is ineligible to run, the day the horse bled externally is the first day of the recovery period.
- (4) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by this policy.
- (5) A horse may be removed from the Bleeder List only upon the direction of the official veterinarian, who shall certify in writing to the stewards the recommendation for removal.
- (6) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to these rules shall be placed on a Bleeder List in this jurisdiction.

H. Anti-Ulcer Medications

The following anti-ulcer medications are permitted to be administered, at the stated dosage, up to 24 hours prior to the race in which the horse is entered.

1. Cimetidine (Tagamet®) – 8-20 mg/kg PO BID-TID
2. Omeprazole (Gastrogard®) – 2.2 grams PO SID
3. Ranitidine (Zantac®) – 8 mg/kg PO BID

COMMITTEE NOTE: *Consortium is currently discussing administration dead-line for Ranitidine.*

I. Environmental Contaminants and Substances of Human Use

COMMITTEE NOTE: Consortium says that potential substances identified in this section will be put through the same scientific review process in order to determine whether a threshold concentration can be established.

- (1) The following substances can be environmental contaminants in that they are endogenous to the horse or that they can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination during the cultivation, processing, treatment, storage or transportation phases:
- (2) The following drugs are recognized as substances of human use and addiction and which could be found in the horse due to its close association with humans:
 - (3) Regulatory thresholds have been set for the following substances.
 - (a) Caffeine – 100 nanograms of caffeine per milliliter of serum or plasma
 - (4) If the preponderance of evidence presented in the hearing shows that a positive test is the result of environmental contamination or inadvertent exposure due to human drug use it should be considered as a mitigating factor in any disciplinary action taken against the affected trainer.

PMRMR-025-023 Testing

A. Reporting to the Test Barn

- (1) The official winning horse and any other horse ordered by the Commission and/or the stewards shall be taken to the test barn to have a blood and urine samples taken at the direction of the official veterinarian.
- (2) Random or extra testing may be required by the stewards or the Commission at any time on any horse on association grounds.
- (3) Unless otherwise directed by the stewards or the official veterinarian, a horse that is selected for testing must be taken directly to the test barn.
- (4) A track security guard shall monitor access to the test barn area during and immediately following each racing performance. All persons who wish to enter the test barn area must be a minimum of 18-years-old, be currently licensed by the Commission, display their Commission identification badge and have a legitimate reason for being in the test barn area.

B. Sample Collection

- (1) Sample collection shall be done in accordance with the guidelines and instructions provided by the official veterinarian.

- (2) The official veterinarian shall determine a minimum sample requirement for the primary testing laboratory.
- (a) If the specimen obtained from a horse is less than the minimum sample requirement, the entire specimen shall be sent to the primary testing laboratory.
- (b) If a specimen obtained is greater than the minimum sample requirement but less than twice that amount, the portion of the sample that is greater than the minimum sample requirement shall be secured as the split sample.
- (c) If a specimen obtained is greater than twice the minimum sample requirement, a portion of the sample approximately equal to the amount provided for the primary testing laboratory shall be secured as the split sample.
- (d) Blood samples must be collected at consistent time, preferably not later than one hour post-race.

C. Storage and Shipment of Split Samples

- (1) Split samples obtained in accordance with Subsection B, Numbers 2b and 2c above shall be secured and made available for further testing in accordance with the following procedures:
 - (a) A split sample shall be secured in the test barn under the same manner as the portion of the specimen acquired for shipment to a primary laboratory until such time as specimens are packed and secured for shipment to the primary laboratory. Split samples shall then be transferred to a freezer at a secure location approved by the Commission.
 - (b) A freezer for storage of split samples shall be equipped with two hasps or other devices to provide for use of two independent locks. One lock shall be the property of the Commission and one lock shall be the property of a representative of the group representing a majority of the horsemen at a race meeting. The locks shall be closed and locked so as to prevent access to the freezer at all times except as specifically provided by these rules.
 - (c) A freezer for storage of split samples shall be opened only for depositing or removing split samples, for inventory, or for checking the condition of samples.
 - (d) When a freezer used for storage of split samples is opened, it shall be attended by both a representative of the Commission and the owner, trainer or designee. A log shall be maintained that shall be used each time a split sample freezer is opened to specify each person in attendance, the purpose for opening the freezer, identification of split samples deposited or removed, the date and time the freezer was opened, and the time the freezer was closed and to verify that both locks were secured prior to and after opening of the freezer.
 - (e) Any evidence of a malfunction of a split sample freezer or samples that are not in a frozen condition during storage shall be documented in the log and immediately reported to the official veterinarian or a designated Commission representative.
- (2) A trainer or owner of a horse having been notified that a written report from a primary laboratory states that a prohibited substance has been found in a specimen obtained pursuant to these rules may request that a split sample corresponding to

- the portion of the specimen tested by the primary laboratory be sent to another laboratory approved by the Commission. The request must be made in writing and delivered to the stewards not later than 48 hours after the trainer of the horse receives written notice of the findings of the primary laboratory. Any split sample so requested must be shipped within an additional 48 hours.
- (3) The owner or trainer requesting testing of a split sample shall be responsible for the cost of shipping and testing. Failure of the owner, trainer or designee to appear at the time and place designated by the official veterinarian shall constitute a waiver of all rights to split sample testing. Prior to shipment, the Commission shall confirm the split sample laboratory's willingness to provide the testing requested, the laboratory's willingness to send results to both the person requesting the testing and the Commission, and arrangements for payment satisfactory to the split sample laboratory. If a reference laboratory will accept split samples, that laboratory must be included among the laboratories approved for split sample testing.
 - (4) Prior to opening the split sample freezer, the Commission shall provide a split sample chain of custody verification form that shall provide a place for recording the following information and such other information as the official veterinarian may require. The form shall be fully completed during the retrieval, packaging, and shipment of the split sample. The split sample chain of custody form requirements are:
 - (a) The date and time the sample is removed from the split sample freezer;
 - (b) The sample number;
 - (c) The address where the split sample is to be sent;
 - (d) The name of the carrier and the address where the sample is to be taken for shipment;
 - (e) Verification of retrieval of the split sample from the freezer;
 - (f) Verification of each specific step of the split sample packaging in accordance with the recommended procedure;
 - (g) Verification of the address of the split sample laboratory on the split sample package;
 - (h) Verification of the condition of the split sample package immediately prior to transfer of custody to the carrier; and
 - (i) The date and time custody of the sample is transferred to the carrier.
 - (5) A split sample shall be removed from the split sample freezer by a Commission representative in the presence of a representative of the horsemen's association.
 - (6) The owner, trainer or designee shall pack the split sample for shipment in the presence of the representative of the Commission, in accordance with the packaging procedures recommended by the Commission. A form shall be signed by both the horsemen's representative and the Commission representative to confirm the packaging of the split sample. The exterior of the package shall be secured and identified with initialed tape, evidence tape or other means to prevent tampering with the package.

- (7) The package containing the split sample shall be transported in a manner prescribed by the commission to the location where custody is transferred to the delivery carrier charged with delivery of the package to the Commission-approved laboratory selected by the owner or trainer.
- (8) The owner, trainer or designee and the Commission representative shall inspect the package containing the split sample immediately prior to transfer to the delivery carrier to verify that the package is intact and has not been tampered with.
- (9) The split sample chain of custody verification form shall be completed and signed by the representatives of the Commission and the owner or trainer. A Commission representative shall keep the original and provide a copy for the owner or trainer.

D. Laboratory Minimum Standards

Laboratories conducting either primary or split post-race sample analysis must meet at least the following minimum standards.

- (1) A testing laboratory must be accredited by a recognized accrediting body to any standards set forth and required by the Commission.

COMMITTEE NOTE: The Consortium is currently addressing accreditation issues and currently has not settled the issue, however it is anticipated that eventually there will be testing laboratory accreditation standards and one or more accrediting bodies.

- (2) A testing laboratory must have, or have access to, LC/MS instrumentation for screening and/or confirmation purposes.
- (3) A testing laboratory must be able to meet minimum standards of detection, which is defined as the specific concentration at which a laboratory is expected to detect the presence of a particular drug and/or metabolite or by the adoption of a regulatory threshold.

PMRMR-025-025 Trainer Responsibility

The purpose of this subsection is to identify responsibilities of the trainer that pertain specifically to the health and well being of horses in his/her care.

- (1) The trainer is responsible for the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable concentration, as reported by a Commission-approved laboratory, is prima facie evidence of a violation of this rule. In the absence of substantial evidence to the contrary, the trainer shall be responsible.
- (2) A trainer shall prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.
- (3) A trainer whose horse has been claimed remains responsible for any violation of rules regarding that horse's participation in the race in which the horse is claimed.
- (4) The trainer is responsible for:

- (a) Maintaining the assigned stable area in a clean, neat and sanitary condition at all times;
- (b) Using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;
- (5) Additionally, with respect to horses in his/her care or custody, the trainer is responsible for:
 - (a) The proper identity, custody, care, health, condition and safety of horses;
 - (b) Ensuring that at the time of arrival at locations under the jurisdiction of the Commission a valid health certificate and a valid negative Equine Infectious Anemia (EIA) test certificate accompany each horse and which, where applicable, shall be filed with the racing secretary;
 - (c) Having each horse in his/her care that is racing, or is stabled on association grounds, tested for Equine Infectious Anemia (EIA) in accordance with the jurisdiction's law and for filing evidence of such negative test results with the racing secretary;
 - (d) Using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;
 - (e) Immediately reporting the alteration of the sex of a horse to the horse identifier and the racing secretary;
 - (f) Promptly reporting to the racing secretary and the official veterinarian when a posterior digital neurectomy (heel nerving) is performed and ensuring that such fact is designated on its certificate of registration;
 - (g) Promptly notifying the official veterinarian of any reportable disease and any unusual incidence of a communicable illness in any horse in his/her charge;
 - (h) Promptly reporting the serious injury and/or death of any horse at locations under the jurisdiction of the Commission to the stewards and the official veterinarian and compliance with the rules in this chapter governing post-mortem examinations;
 - (i) Maintaining a knowledge of the medication record and status;
 - (j) Immediately reporting to the stewards and the official veterinarian knowledge or reason to believe, that there has been any administration of a prohibited medication, drug or substance;
 - (k) Ensuring the fitness to perform creditably at the distance entered;
 - (l) Ensuring that every horse he/she has entered to race is present at its assigned stall for a pre-race soundness inspection as prescribed in this chapter;
 - (m) Ensuring proper bandages, equipment and shoes;
 - (n) Presence in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;
 - (o) Personally attending in the paddock and supervising the saddling thereof, unless excused by the stewards; and
 - (p) Attending the collection of a urine or blood sample or delegating a licensed employee or the owner to do so.

PMRMR-025-030 Physical Inspection of Horses

A. Assessment of Racing Condition

- (1) Every horse entered to participate in an official race shall be subjected to a veterinary inspection.
- (2) The inspection shall be conducted by the official veterinarian or the racing veterinarian.
- (3) The trainer of each horse or a representative of the trainer must present the horse for inspection as required by the examining veterinarian.
- (4) The assessment of a horse's racing condition shall be based on the recommendations of the American Association of Equine Practitioners and shall include:
 - (a) Proper identification of each horse inspected;
 - (b) Observation of each horse in motion;
 - (c) Manual palpation when indicated;
 - (d) Close observation in the paddock and saddling area, during the parade to post and at the starting gate; and
 - (e) Any other inspection deemed necessary by the official veterinarian and/or the racing veterinarian.
- (5) Every horse shall be observed by the racing veterinarian during and after the race
- (6) The official veterinarian and/or the racing veterinarian shall maintain a continuing health and racing soundness record of each horse inspected.
- (7) The examining veterinarian shall inspect all of the horses in a race prior to their starting and after the finish of a race shall observe the horses upon their leaving the track.

B. Veterinarian's List

- (1) The official veterinarian shall maintain the Veterinarian's List of all horses which are determined to be unfit to compete in a race due to illness, physical distress, unsoundness, infirmity or any other medical condition.
- (2) A horse may be removed from the Veterinarian's List when, in the opinion of the official veterinarian, the horse has satisfactorily recovered the capability of competing in a race.

C. Postmortem Examination

- (1) The Commission may conduct a postmortem examination of any horse that is injured in this jurisdiction while in training or in competition and that subsequently expires or is destroyed. In proceeding with a postmortem examination the Commission or its designee shall coordinate with the trainer and/or owner to determine and address any insurance requirements.
- (2) The Commission may conduct a postmortem examination of any horse that expires while housed on association grounds or at recognized training facilities

within this jurisdiction. Trainers and owners shall be required to comply with such action as a condition of licensure.

- (3) The Commission may take possession of the horse upon death for postmortem examination. The Commission may submit blood, urine, other bodily fluid specimens or other tissue specimens collected during a postmortem examination for analysis . Upon completion of the postmortem examination, the carcass may be returned to the owner or disposed of at the owner's option.
- (4) The presence of a prohibited substance in a specimen collected during the postmortem examination may constitute a violation.

The cost of Commission-ordered postmortem examinations, testing and disposal shall be borne by the Commission.